

COMMONWEALTH OF PUERTO RICO
OFFICE OF THE GOVERNOR
PUERTO RICO PLANNING BOARD
SANTURCE, PUERTO RICO

**ZONING REGULATION FOR THE COASTAL ZONES
AND THE ACCESS TO BEACHES AND
COASTS OF PUERTO RICO**

(PLANNING REGULATION NO. 17)



Estado Libre Asociado de Puerto Rico
OFICINA DEL GOBERNADOR
Junta de Planificación

HT
169.8
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Z66
1983
no.17

(Translation from the Official Spanish Text)

Effective Date: March 31, 1983

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OFFICE OF THE GOVERNOR
PUERTO RICO PLANNING BOARD
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COMMONWEALTH OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO

ADMINISTRATIVE BULLETIN NUMBER 4093-A

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO

TO APPROVE THE ZONING REGULATION FOR THE
COASTAL ZONES AND THE ACCESS TO BEACHES AND
COASTS OF PUERTO RICO (PLANNING REGULARION NUMBER 17)

WHEREAS, The Puerto Rico Planning Board, by virtue of the powers granted by the Act Number 75, June 24, 1975 as ammended, prepared the Zoning Regulation for the Coastal Zones and the Access to Beaches and Coasts of Puerto Rico (Planning Regulation Number 17) for the purpose of providing acces to the coasts and beaches of Puerto Rico and to protect and direct the development of coastal land according to its potential.

WHEREAS, The Zoning Regulation for the Coastal Zones and the Access to Beaches and Coasts of Puerto Rico was presented on public hearings held on May 23, 27, 28, 29 and 30, 1980 in the municipalities of San Juan, Ponce, Fajardo, Vega Baja, Arecibo, Aguadilla, Mayaguez, Guánica, Guayama and Humacao.

WHEREAS, The Planning Board, after complying with the requirements of the Act Number 75, June 24, 1975, as ammended, adopted the referenced regulation on November 24, 1982.

THEREFORE, I, Carlos Romero Barceló, Governor of Puerto Rico, by virtue of the provisions of Act Number 75, June 24, 1975, as amended, APPROVE the Zoning Regulation for the Coastal Zones and the Access to Beaches and Coasts of Puerto Rico (Planning Regulation Number 71), which shall take effect fifteen (15) days after this approval.

The Planning Board shall comply with the provisions of Article 28 of Act Number 75, June 24, 1975, as amended, regarding the publication of a summary or general description of this regulation in one or more newspapers of general publication in the Island of Puerto Rico.

In witness, thereof, I sign this executive order and affix thereto the Great Seal of the Commonwealth of Puerto Rico, in the City of San Juan, today March 16, 1983.

(Signed)
Carlos Romero Barceló

Promulgated according to the Law, today March 16, 1983.

(Signed)
Carlos S. Quirós
Secretary of State

COMMONWEALTH OF PUERTO RICO
OFFICE OF THE GOVERNOR
PLANNING BOARD OF PUERTO RICO
SANTURCE, PUERTO RICO

Resolution RP-17-0-82

ADOPTING THE ZONING REGULATION FOR THE COASTAL ZONES
AND THE ACCESS TO BEACHES AND COASTS OF PUERTO RICO
(PLANNING REGULATION NO. 17)

The Puerto Rico Planning Board Organic Act, Act No. 75, June 24, 1975, as ammended, Article 16 (2), vested on the Board the Authority to Adopt a Regulation to Control the Uses of the Beaches, Public Beaches and other bodies of water.

The Puerto Rico Coastal Zone Management Program, approved by the Planning Board by Resolution No. PU-002 June 22, 1978 and First Extension to the Resolution No. PU-002 September 13, 1978, recommended adopting a regulation permitting the citizens to have access to the beaches and coasts of Puerto Rico.

The Planning Board, in harmony with such recommendation, and considering the ever growing need fot recreational facilities in the country and, considering the existing trend to develop the coastal lands and, to limit the public access to beaches and coasts prepared the Zoning Regulation for the Coastal Zones and the Access to the Beaches and the Coasts of Puerto Rico. During the preparation of the Regulation, in order to support the legal aspect of the same, a legal study was conducted on the Public and Private Rights of the Beaches of Puerto Rico.

Public hearings on the regulation were held on May 23, 27, 28, 29 and 30, 1980 in the Municipalities of San Juan, Ponce, Fajardo, Vega Baja, Arecibo, Aguadilla, Mayaguez, Guánica, Guayama

Resolution RP-17-0-82

and Humacao. The Board, after considering the remarks, commentaries and recommendations from the general citizenry and organizations, reviewed the draft regulation adopting the pertinent changes.

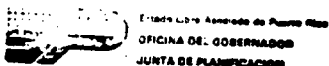
Based on the above, the Planning Board ADOPTED the the Zoning Coasts of Puerto Rico (Planning Regulation No. 17).

CERTIFICATE: I certify that the preceding is a faithful and exact copy of the Resolution adopted by the Planning Board of Puerto Rico at the meeting held on November 24, 1982 and approved by the Governor on March 16, 1983, and for its notification and general use, I issue the present under my signature and the seal of the Planning Board, on San Juan, Puerto Rico today April 6, 1983.

Luis A. Benítez Esq.
Secretary

CERTIFICO que esta
es copia fiel y exacta
del documento original
y para que así conste,
firma la presente en
San Juan, Puerto Rico
a MAR 03 1987

Alivianna Almodovar
Secretaria



INTRODUCTION

The Constitution of Puerto Rico statement of public policy "... the utmost efficient conservation of its resources, as well as the maximum development and utilization of the same, for the general benefit of the community," Constitution of Puerto Rico 1952, Article VI, Section 9, is the source of authority to regulate the uses and access to the coasts and beaches as well as protecting the coastal zones of Puerto Rico.

In 1975, the Legislature of Puerto Rico granted to the Planning Board, in its Planning Act, Article 16.2, Act No. 75, June 24, 1975, the power to adopt a Regulation to Control the Use of Beaches, Public Beaches and Other Bodies of Water. On June 22, 1977, the Governor of Puerto Rico approved a "Document on Policies and Objectives of the Land Use Plans of Puerto Rico", adopted by the Planning Board on June 8, 1977, that stated as public policy number 17.04, paragraph 4, the rights of the citizenry to free access and enjoyment of the beaches of Puerto Rico. The Planning Board in its Resolution No. PU-002 June 22, 1978, approved the "Coastal Zone of Puerto Rico Management Program" which was also approved by the Governor on July 12, 1978. The first extension to Resolution PU-002, approved by the Board on October 13, 1978, adopted and incorporated the "Access to the Beaches of Puerto Rico" as an element of the Coastal Zone of Puerto Rico Management Program. The Integral Development Plan of Puerto Rico, also makes reference to the development and integral conservation of the coastal resources. Act No. 14, February 7, 1979,



amended the Regulations and Permits Act. No. 76, June 24, 1975, making mandatory, except in six (6) instances, providing public access to the beach to all projects, as a condition to its approval.

To provide adequate access to the coasts and beaches of Puerto Rico and the optimum use of them by the general citizenry is the main purpose of this regulation. Because of it, the following statement of main objective is made: That all visitors and residents of Puerto Rico have equal opportunity, whenever practical, by right and in reality, to be able, be it by maritime or terrestrial means to enjoy the coasts and specially the beaches of Puerto Rico.

Additional main objectives are: To provide access to the coasts and beaches by making it a mandatory requirement to all new developments facing the maritime-terrestrial zone; to protect all natural reserve areas and the natural resources by not authorizing new subdivisions and/or development that could destroy or deteriorate them.

This regulation intent to integrate this objectives and mandates. The same is organized in four parts. The first part deals with the aims of the Regulations and Definitions. The second and third part deals with the powers of the Board, specifically the power to approve or deny projects of land use and zoning: Second part - Projects and Third part - Zoning of the Coastal Zone. The Fourth part - encompasses the different administrative procedures and requirements.

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ZONING REGULATION FOR THE COASTAL ZONES AND
THE ACCESS TO BEACHES AND COASTS OF PUERTO RICO

FIRST PART

GENERAL PROVISION AND DEFINITIONS

Section 1.00 - GENERAL PROVISIONS

- 1.01 - Title -** Planning Regulation Number 17; to control and guide the use and development of lands and bodies of water in the coastal zones of Puerto Rico, its beaches and coasts; to require, prohibit or encourage, based on the general welfare, the access to the beaches of Puerto Rico; will be known as the "Zoning Regulation for the Coastal Zones and the Access to Beaches and Coasts of Puerto Rico."
- 1.02 - Authority -** This regulation is adopted in conformity with the provisions of Act No. 75, June 24, 1975, (Articles 11 (4), 16 (1), 16 (2) and 27, the Puerto Rico Planning Board Organic Act, as amended.
- 1.03 - Application -** The provisions of this regulation will apply to and cover:
- 1. All construction, reconstruction, demolition or changes, subdivisions, developments and other projects proposed for the Coastal Zones of Puerto Rico and adjacent islands within its jurisdiction.**
 - 2. All public land transactions, within the coastal zones of Puerto Rico, conducted by officials or body of the Government of Puerto**

Rico.

3. All lands within the Coastal Zones of Puerto Rico including submerge lands, navigable submerge lands, contiguous to Puerto Rico and adjacent islands within its jurisdiction, when deem necessary to the implementation of this regulation.

4. All persons, natural or legal, public or private and any combination of them.

- 1.04 - Exclusion of Beaches in Federal Military Reservations - The coasts and beaches reserved by the Government of the United States for national security uses, are excluded from the provisions of this regulation.
- 1.05 - Effective Date - This regulation and its ammendments will become effective fifteen (15) days after its approval by the Governor as established in Article 28 of Act. No. 75, June 24, 1975, (23 L.P.R.A., Section 63).
- 1.06 - Term Used - When justified by its use in this regulation, it will be understood that all words used in the singular also include the plural and vice versa, likewise, the masculine form will include the feminine and vice versa.

- 1.07 - Terms Defined - The terms defined in this regulation, provided that they are employed in their context and to all its effects, will have the meaning that is expressed for each term.
- 1.08 - Special Regulation in the Coastal Zones of Puerto Rico - The Board can adopt special regulations for the Special Planning and Natural Reserve Areas of the Coastal Zone Management Program and for other sectors that because of essentially different characteristics and other particulars, justify that some of the norms of this regulation be changed.

The special regulation, within the Coastal Zone of Puerto Rico, will be considered as part of this regulation and in those beaches and coasts under this special regulation and the disposition of this regulation, will be of a supplemental nature, provided there is no conflict with the special norms. The special regulation will be framed on this sections and in Sections 1.09 and from 9.01 to 9.07 of this regulation.

- 1.09 - Provisions of Other Regulations - In respect to the other planning regulations the following norms will apply.

1. The provision of this regulation will prevail over and will be complemented by

the provisions of any other regulation in force adopted by the Planning Board, its application will be concurrent as far as its compatibility with the purposes of this regulation.

2. The provisions of the Zoning Regulation (Planning Regularion Number 4) which applies within the Coastal Zone of Puerto Rico, and not specifically substituted by some provisions nor, in opposition to particular norms of this regulation, is considered to apply as part of this regulation.
3. The dispositions included in special regulation, dealing particularly and in depth on aspects and particular characteristics of a sector of land or special subject, will prevail over the norms of this regulation.

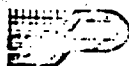
- 1.10 - Saving Clauses - If any provisions of this regulation its interpretation or application in respect to any person or circumstances is adjudged unconstitutional or voided, such judgement will not affect other provisions of the regulation that can remain in effect without recurring to the provision voided.

Section 2.00 - DEFINITIONS

The following terms and phrases shall have the meaning stated below, except where a different meaning clearly appears from the text:

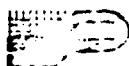
- 2.01 - **Accessibility** - The quality of reaching the destination.
- 2.02 - **Adequate Accessibility** - When there are no legal or physical barrier preventing the public access to the coast, public beach, lake shore; either by water or land, and in the latter, the walking distance is, of approximately, one hundred and fifty (150) meters from a public highway.
- 2.03 - **Limited Accessibility** - When the presence of a line of houses, buildings, fences or other barriers, requires owners authorization to cross empty lots or dead end streets in order to reach the coast, beaches or lake shore.
- 2.04 - **Control Accessibility** - When, in order to reach the coast or the beach you must pass a guarded place, who determines who can use the access to the coast, beach or lake shore.
- 2.05 - **Obstructed Accessibility** - When the presence of physical and/or legal obstruction prevent from reaching the coast, beach or lake shore.

- 2.06 - Psychic-visual Access - When the mere sight and contemplation of the landscape from a terrace, observation point, parking area or any high point produces in the mind of the observer, various spiritual satisfaction.
- 2.07 - Maritime Access - Entrance or passage way, through which sail boats, row boats, motor boats, boats or a similar vehicle can reach, from the sea or ocean, the beach or coast.
- 2.08 - Pedestrian Access - Special public way for pedestrians, provided with side walks when required, to facilitate the access to pedestrians and handicapped, from an existing public way to the coast, beach or lake shore.
- 2.09 - Vehicular Access - Public way or highway permitting automobiles or other motor vehicles access to the coast, beach or lake shore.
- 2.10 - Parking Area - Area dedicated exclusively to the temporary parking of vehicles.
- 2.11 - Natural Reserve Areas - Those areas, that due to their physical, ecological, geographics characteristics and the social value of natural resources in them, justify its conservation, preservation or restoration to its natural condition in accordance with the objectives and public policies



or Land Use Plan, adopted by the Board on June 8, 1977 and approved by the Governor on June 22, 1977.

- 2.12 - Regulations and Permits Administration - Government Body created by Act No. 76, June 24, 1975, as ammended, known as the "Regulation and Permits Administration Organic Act."
- 2.13 - Recreational Beaches - Coastal recreational center with minimum roads, parking, sanitary services and shower facilities, among other, whose principal use is bathing and swimming.
- 2.14 - Row Houses - Series of two or more independent housing units, adjacent, joined laterally by party walls, forming a single unit.
- 2.15 - Conservation - The care and protection of a sector designated as a natural, cultural or ecological valuable resource to improve and maintain its natural condition and characteristics; permitting its limited and careful utilization of the resource.
- 2.16 - Site Consultation - The procedure by means of which the Planning Board evaluates, pass judgement and take the necessary action or proposed land uses not permitted in the applicable regulations in zoned areas. For non-zoned areas, this include proposed land uses, that due to its nature, complexity, magnitute, physical impact, economic, environmental and social characteristics could significantly



affect the development of a sector.

- 2.17 - Coast - The shore line or border of a country facing the sea or ocean, formed by the line which is the mean low tide.
- 2.18 - Department of Natural Resources (DNR) Government Body created by Act No. 23, June 20, 1972, as ammended.
- 2.19 - Building - Any type of structure erected, constructed, fixed or situated by man's hand in or above the ground or water, to be occupied, either permanently or temporally by persons, animals or properties.
- 2.20 - Apartment Buildings - A building for three or more families living in independent dwelling units, excepting row houses.
- 2.21 - Official and Body - The Government of Puerto Rico, or any of its parts, offices bureaus, departments, commissions, dependencies, goverment instrumen- talities or corporations or municipalities, their agents, officers or employees.
- 2.22 - Board - The Puerto Rico Planning Board as a collegiate body, inclusively when, pursuant to the provisions of Act No. 75, June 24, 1975, it functions divided into parts.



- 2.23 - Marine League - A linear measure equivalent to 5,555.55 linear meters or to a marine mile of 1,851.83 linear meters.
- 2.24 - Lake shore - Shores of a lake or lagoon.
- 2.25 - Maritime Coast Line - Sea or ocean shores.
- 2.26 - Subdivision - The division or subdivision of a lot, tract or parcel of land into two (2) or more parts for sale, transfer, assignment, lease, donation, usufruct, use, census, trust, division of inheritance or community, or for any other transaction; the constitution of a community of property on a lot tract or parcel of land where specific lots are assigned to the joint owners; as well as for the construction of one or more building; and includes an urbanizations as well as a mere segregation.
- 2.27 - Simple Subdivision - That subdivision on which all development works are already constructed, or where said works are very simple and the subdivision does not exceed ten (10) lots, taking into consideration for the computation of the ten lots the subdivision of the tracts originally formed as well as the subdivision of the remainder of the original tract.
- 2.28 - Works - Building and structures, including the improvement and works carried out on the land to facilitate or complement the construction thereof

as well as the improvements and installations necessary for the use, segregations, subdivision or development of lands.

- 2.29 - Construction Permit - Written authorization, issued by the Regulations and Permits Authorization in accordance with the applicable laws and regulations for the construction of work.
- 2.30 - Person - Any natural or artificial, public or private person and any group thereof.
- 2.31 - Beach - Ocean or sea coast line formed of firm sand, gentle slope, occasionally fine gravel, including the adjoining portion of water contiguous to the shore. Beaches are non-stable geological formations which can inward, toward the sea, retreat from it or disappear.
- 2.32 - Swimmable Beach - A clean sand, clear and calm water, free of currents and under currents, free of stones and mud, sage for swimming and recreational activities.
- 2.33 - Preservation - Care and protection given to a sector designated as a unique natural, cultural or ecological resource, to preserve its primitive condition and unique characteristics so that it may be ultimately studied, contemplated and enjoyed, in a restricted limited and controlled form.

- 2.34 - Project - Includes land site consultation for terrain developments, preliminary plans, preliminary developments, construction plans, subdivisions, developments and buildings.
- 2.35 - Natural Resources - Things such as water, air, light, sea, beaches, land, forests, wildlife, minerals, all in their primitive stage; of singular importance to human beings to use as raw material, food, energy sources and for their physical and spiritual needs.
- 2.36 - Resolution - Document or report containing an agreement or decision adopted by the Planning Board or the Regulations and Permit Administration.
- 2.37 - Lot - Tract of land either registered or registable in the Property Registry as an independent farm or its subdivision has been approved by the Board or the Administration.
- 2.38 - Lands - Includes land as well as water, the space over the same or the land underneath.
- 2.39 - Submerge Land - Land or terrain which is permanently or periodically covered by water up to, but not over the high tide mean line, in beaches, bay, lakes, swamps and other bodies of water.
- 2.40 - Submerge Land Under Navigable Water - Includes the land submerged under navigable water in Puerto Rico



and adjacent islands to a distance of three (3) marines leagues, equivalent to nine (9) nautical miles and to 10.35 terrestrial miles; measured from the coast line, as it has or could be modified by erosion, water set back or accretion.

- 2.41 - Agricultural Unit - Tract of land consisting of one or more or portions of farms, which operate as an operational unit, including the structures and accessory uses incidental to the same.
- 2.42 - Housing Unit - A building or part of which is used as a one family residence, except in the case of apartment buildings were it is equivalent to the term basic housing unit in accordance with Section 44.03, Zoning Regulation No. 4.
- 2.43 - Development - Any segregation, division or subdivision of a tract of land which, because of the work to be carried for the formation of lots, is not comprised within the term "simple subdivision, as defined and it shall include the development of any tract of land for the construction of any building or buildings of eleven (11) or more dwellings."
- 2.44 - Non-Conforming - Use or condition of a property that does not harmonize with the provisions of this regulation.

- 2.45 - Legal Non-Conformity - Condition or use of a premise which does not comply in location, size or operation with the provisions of this regulation or the zoning district in which located but, existed legally at the effective date of this Regulation, Zoning Map or an Official Map for the area, or amendments thereto.
- 2.46 - Public Ways - Those trails, paths, foot paths roads, drive, narrow lane, street, highways, viaduct, bridges, avenues, boulevard, expressway and other access or part thereof, operated, conserved or maintain by the state or municipal government, for public use.
- 2.47 - Coastal Zone - Strip of coastal land and adjacent water to Puerto Rico and contiguous islands within its jurisdiction, outlined by the Department of Natural Resources and approved by the Planning Board and the Governor of Puerto Rico, extending in land one thousand (1,000) lineal meters from the coast line and an additional distance as far as necessary, to insure the inclusion of key natural systems of the coast as well as the water and ocean floors that extends in water, three (3) marine leagues (10.35 terrestrial miles.)
- 2.48 - Terrestrial Maritime Zone - Shore line of Puerto Rico affected by high and low tide, tidal action, tidal action under hurricane condition, including land rescued from the sea and river banks up to the point

in which they become navigable or sensible to tidal actions.

- 2.49 - Non-Urban Zones - The land within the jurisdiction of Puerto Rico, including the rural area zone, not designated as urban districts by the Planning Board, including land as well as interior bodies of water, the coastal zone excepting its urban districts, the terrestrial maritime zone and Puerto Rico's territorial sea.
- 2.50 - Urban Zones - Is synonymous with urban area and consist of the lands within the perimeter or circumference of the urban expansion fixed by the Planning Board in the Urban Expansion Maps for each municipality.
- 2.51 - Zoning - The designation of specific areas of land in districts; the application in each district of norms dealing with the structural and architectonic design of buildings and works and the land uses to be permitted in each designated district.

SECOND PART PROJECTS

SECTION 3.00 - GENERAL DISPOSITIONS

- 3.01 - Public Access - All projects authorized, contiguous to the maritime coast line or lake shore, will be required to provide one or more public access way through or bordering the project, from the public way providing access to the project, reaching another public way parallel to the coast or the coast proper, the beach or lake shore. The ways will be dedicated to public use by means of a public deed on behalf of the municipality were the project is located or the Department of Transportation and Public Works, or by the approval of a Registration Plan and the public deed, whichever applies.

These access ways will be properly identified with the name of the beach, or the special interest sector any other pertinent information.

- 3.02 - Separation Between Public Access - When it is not possible to provide public access by means of a continuous public way which is contiguous and approximately parallel to the coast, beach or lake shore, the separation between the public access will comply with the following criterias:
- a. In Urban Districts Zoned Area, as established in the Zoning Regulation (Planning Regulation



No. 4) a maximum separation of eighthundred (800) meters between vehicular access and of four hundred (400) meters between a pedestrian access, will be observed. For projects in lots segretated prior to the effective date of this regulation, the separation can be increased to twelve hundred (1200) meters between vehicular access and up to six hundred (600) meters between a pedestrian access and any other access, if there are any problem complying with the previous maximum.

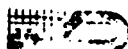
- b. In Non-Urban Districts Zoned Areas, the maximum separation observed will be of sixteen hundreds (1600) meters between vehicular access and of four hundred (400) meters between a pedestrian access and any other access.

3.03 - Exemption to Provide Public Access - Some projects can be exempted from the requirement of providing access to the coast, beach or lake shore, when one of the following conditions exits:

- a. When adequate public access to the coast, public beach or lake is available at a distance less than the maximum separation between access permitted by the regulation.
- b. The topography of the terrain makes the access insurmountable to the public.

- c. The proposed development is a relatively small project - The lot to be develop does not exceed two thousand (2000) square meters.
- d. When the limitations of the coastal resources can not withstand the intensive use by the public, or providing additional access will result in a utilization greater than the estimated capacity of the coast, public beach or lake shore.
- e. It is advisable for public security reasons or the sector is dangerous for sport or recreational activities.
- f. The proposed access adversely affect the natural resources or the agricultural unit.

3.04 - Existing Public Access - Public access to beaches, coast and lake shore will be kept free of obstructions. The unauthorized construction of fences, barriers, maritime buoys with "No Tresspasing" signs or similar warnings, the excavation of the pavement or ditches accross the public access or the construction of structures within the right of way of the access will be considered as obstructing the access and a violation of this regulation.



- 3.05 - Separation Zone - All construction projects for buildings, subdivision or developments facing the coast or beaches of Puerto Rico, the Board requires that a strip of land of at least twenty (20) meter wide, parallel to and measure from the terrestrial maritime zone, be dedicated to public use. Additional, no permanent structures will be erected within a strip of land of thirty (30) meters wide, contiguous to the former.
- 3.06 - Natural Reserve Areas - New subdivisions, projects or development that could destroy or deteriorate Natural Reserve Areas, coast or beaches, or other important natural resources recognized or designated for preservation by the Department of Natural Resources, Environmental Quality Board or that the Planning Board has so determine based on its own analysis, are prohibited.
- 3.07 - Historic, Aesthetic, Recreational, Ecological and Cultural Sectors. - Projects near or contiguous to the coasts and beaches of Puerto Rico and adjacent islands within its jurisdiction that could deteriorate or destroy important historic, aesthetic, recreational, ecological or cultural areas recognized or recommended for preservation or conservation by the Department of Natural Resources, the Environmental Quality Board or the Planning Board, will be exhaustively analysed.

- 3.08 - Natural Character - All authorized land development works contiguous to the coast and beaches will retain the vegetation natural character, topographical traits, coastal forms and a positive balance of the natural environment over the development, except when it is desirable to provide access and the vegetation is so dense that impedes it.
- 3.09 - Intensity of the Development - To protect the tremendous potential of the non-urban land in the coastal zone, specially the land contiguous to the terrestrial maritime zone, for recreation, contemplation and spiritual relaxation, the intense development parallel to the coast will be avoided to the maximum, stimulating and promoting that the land be maintain in its natural state and the uses authorize harmonize with the potential of the coastal sector.
- 3.10 - Disposition of Waters with Sanitary Discharges - The sanitary discharges to the beaches and contiguous bodies of water, are prohibited in the beach and lake shore sectors. Such discharges can be permitted along the rest of maritime coast line when positively deomnstrated that the waters along the coast have the capacity to absorp the liquid waste and there is no detrimental effect

on the ecological systems or human beings and is approved by the Environmental Quality Board.

- 3.11 - Control of Erosion and Contamination of Bodies of Water - All projects in a tract of land in excess of two thousand (2,000) square meters in which there will be earth movement or the use of contaminants, will prepare and submit plans for erosion and contamination of bodies of water control, with comments and endorsements by the Environmental Quality Board, Soil Conservation District Office and the Department of Natural Resources. The preventive measures recommended in the plan will be observed during the construction phase, additionally the permanent measures recommended will be provided as part of the project.

- 3.12 - Garbage in Beaches and Coasts of Puerto Rico - All projects contiguous to a beach will provide sufficient garbage cans and an efficient garbage collection system, to include the beach sector.

All persons dispersing garbage on the coast and beaches of Puerto Rico will do so in violation of Section 29.08 of this Regulation.

SECTION 4.00 - SUBDIVISIONS AND DEVELOPMENT

4.01 - Application - The dispositions of this section will apply to all subdivisions and land developments projects within the Coastal Zone. In the subdivisions within the scope of this regulation, the most restrictive controls will prevail when there is conflict with the Planning Regulation No. 3. For development projects the dispositions of the Planning Regulations No. 3 will apply as well as the existing supplementary norms.

Simple subdivisions (Planning Regulation No. 11) will not be authorized in land contiguous to the terrestrial maritime zone. In cases where the interested person in the simple subdivision understand that this disposition is an unreasonable restriction or prohibition of his right to use his property or belonging, the case should be presented by means of the site consultation process, to the consideration and action of the Planning Board.

4.02 - Design of Public Access Way

a. For the cases that do not require site consultation prior to approving the preliminary development to form lots contiguous to or facing the coasts, beaches or lake shores, the RPA will submit to the



Board a plan or plans, indicating the schematic alignment and the width of the public access way to the separation zone contiguous to the affected coast or lake shore. Within a period of thirty (30) days, the Board can oppose the location, alignment or width of the access way.

If no action is taken during the indicated period of time it will be understood that there are no objections to the proposal.

- b. In cases where the development is contiguous to the terrestrial maritime zone and requires land site consultation, the design of the public access way will be part of the land site and land use consultation, to be submitted in accordance with existing procedures.
- c. In cases where the land is within the coastal zone but not contiguous to the terrestrial maritime zone, the Board can require the design of the public access way, if appropriate or convenient. The projects that do not require land site consultation will follow procedures established in sub-section 4.02 (a) above.

- 4.03 - Line of Lots Facing the Coast - When the project consist of a line of individual lots parallel and contiguous to the terrestrial maritime zone or lake shore, the same will be separated from the separation zone of 20 meters minimum width, by a public street serving as the principal access to the same.
- 4.04 - Width of the Public Ways - The width of the public way serving as access to the separation zone contiguous to the coast, beach or lake shore, will be proportional to the project or magnitude of the population that can or will use the coast, beach or lake shore, for recreational purposes. It will correspond to the minimum establish in the Subdivision Regulation but never less than eleven (11) meters wide for vehicular access nor three (3) meter wide for pedestrian access.
- 4.05 - Neighborhood Facilities - When the projects require that portions of land be dedicated to recreational uses as part of the neighborhood facilities and the topography and other terrain conditions permits it, this will be located contiguous to the separation zone limits of twenty (20) meter in width, minimum, or to the lake shore and will be developed for activities harmonizing with the uses of the contiguous coast, beaches, lakes, or lagoons.

- 4.06 - Public Parking Facilities - Contiguous to the separation zone of twenty (20) meters a minimum of one (1) public parking space for each ten (10) housing units will be provided, but never less than three (3) spaces. The Board can require more or less parking spaces, in the proportion that justifies each specific project.
- 4.07 - Subdivisions - The minimum area of the lots to be segregated will be in accordance with the subdivision regulation and the existing zonification for the area subdivided.

SECTION 5.00 - OTHER LAND DEVELOPMENTS

- 5.01 - Application - The dispositions of this section will apply to other land development projects not necessarily developments and land segregation, located within the coastal zone. Such dispositions will apply when the Board authorizes a coastal development such as: public beaches, marinas, tourist or vacational centers, trailers or recreational camps, recreational, sports, portuaries or industrial complex, cementery and other related uses to the coastal zone.
- 5.02 - Design of Public Access Way - All land site and land use consultation presented to the Board, for the development of a complex or other special uses located contiguous to the terrestrial maritime zone or lake shore, will be accompanied by the proposed schematic alignment of the public access way to the separation zone contiguous to the affected coast, public beach or lake shore. In these cases priority will be given to provide a public access way between the, and parallel to, the separation zone, and the lot to be developed.

In cases were the land is within the coastal zone but not contiguous to the terrestrial maritime zone, the Board can require the design of public

access way when necessary or convenient based on public interest.

5.03 - Width of Public Ways - The width of the public ways providing access to separation zone contiguous to the coast, public beach or lake shore, will be determined based on the magnitudes of the project and the population sector that will or could use the coast, public beach or lake shore, for recreational purposes. Such section will correspond to the minimum established by the subdivision regulation, never less than eleven (11) meters in width for vehicular access, nor three (3) meter in width for pedestrian access.

5.04 - Public Parking Facilites - Contiguous to the separation zone of twenty (20) meters required for non-residential developments contiguous to terrestrial maritime zone, a minimum of one (1) parking space will be provided for public use, for each ten (10) spaces required depending on the type of development. The Board can require more or less parking spaces depending on the needs of the specific project.

5.05 - Subdivision - For land developments under the provisions of Section 5.00, the subdivision of land will not be authorized except for the following purposes:

- a. To make possible the financing of a project that meets all other regulatory requirements.
- b. To build and operate a factory that uses or produces raw material that originates or to be processed in the industrial complex, and is related to or depends on the sea or promoted by the Puerto Rico Industrial Development Company and the Board has decided it is exempt from complying with this section.
- c. Exemption to be use to construct a cemetery project .

The minimum lot area will be in accordance with the proposed use and area zonification.

5.06 - Public Beaches - Public beaches projects will comply with the Department of Sports and Recreation existing regulations and will provide the following services and minimum facilities:

- a. Efficient garbage collection system
- b. Buoys for the swimmers protection
- c. Sanitary and shower services with discharges approved by the Environmental Quality Board.
- d. Parking
- e. First aid medical services
- f. Maintenance and cleaning of structures services
- g. Lifeguards
- h. Security and vigilance services

5.07 - Trailer Camps - Land development for trailer camps within the coastal zone of Puerto Rico will be regulated by the dispositions of this regulation and the norms or criterias to be utilized when considering trailer camps projects or consultations, established by the Board in the Resolution JP-229, July 19, 1978.

SECTION 6.00 - APARTMENTS BUILDING AND ROW HOUSES
IN CONDOMINIUM

- 6.01 - Application - The dispositions of this section will be applied to all construction projects of one or more apartments buildings or row houses condominium and not for the segregation of lots within the coastal zone of Puerto Rico. The construction of eleven (11) or more units in one or more apartment buildings or row houses, will be considered and processed as a development in accordance with Section 4.00 of this regulation.
- 6.02 - Design of Public Access - Cases requiring site consultation, the design of public access will be part of the consultation in accordance with existing procedures. In all cases and prior to submitting construction plans for all projects of apartments buildings or row houses in condominium, in land contiguous and facing the coast, beach or lake shore, plans will be submitted to the Board, indicating the schematic alignment of the public access way or the separation zone contiguous to the public beach or affected lake. For these cases preference will be given to providing a public access way between the lot to be developed and the separation

zone and parallel to it.

In the cases of construction projects for apartment buildings or row houses in lots segregated prior to the effective date of this regulation, subject to urban zonification and contiguous to the coasts, beaches and lake shores, an access will be provided in the property line of the lots combining the right of way and construction apportionment in proportion to the front of the two lots affected by the assessment. For these cases, a bonus will be given in the construction area and the concessions in width and separation indicated in this section.

For those cases where the land is not contiguous to the terrestrial maritime zone, but is within the coastal zone, the Board can require a design of the access ways when deemed appropriate or necessary in base of the public interest.

- 6.03 - Width of Public Way - The width of the public access way into the separation zone contiguous to the coast, public beach, or lake shore will be determined in proportion to the magnitude of the project and the public that uses or could use the coast, beaches or lake shores, for recreational purposes. It shall correspond to those established in the lot regulation, but never

less than eleven (11) meters wide for vehicular access nor less than three (3) meter for pedestrian access.

For projects in lots segregated prior to the effective date of this regulation, with an urban zonification, contiguous to the coast, public beaches or lake shores, a pedestrian public access of two (2) meters wide will be permitted, formed by combining one (1) meter from each adjacent lot. The apportionment will be made by a public deed on behalf of the corresponding municipality.

6.04 - Neighborhood Facilities - When the project requires that a portion of land be dedicated to recreational use, as part of the project neighborhood facilities and is permitted by the topography and terrain condition, it will be located contiguous to the limit of the separation zone or the lake shore and will be develop for activities harmonizing with the uses of the adjacent coasts, beaches, lakes or lagoons.

6.05 - Public Parking Facilities - Contiguous to the Separation Zone, a minimum of one (1) public use parking space will be provided for each ten (10) housing units, but never less than three (3).

The Board can require more or less parking spaces, as required, for each specific project.

- 6.06 - Ocean Views - The structures will be oriented with the longest side of the horizontal projection perpendicular to the coast or at an angle as close as possible to this orientation to minimize obstructing the visibility to the ocean; and complying with Section 8 of this regulation, to prevent undesirable shadows over the beaches.
- 6.07 - Bonus for Public Access - Construction projects for apartment buildings and row houses in condominiums, in lots segregated prior to the effective date of this regulation, subject to urban zoning and contiguous to coasts, beaches or lake shores, who have to provide required public access are subject to the following bonuses:
- a. When computing the occupation area, the gross floor area and required patios, in accordance with the Zoning Regulation, will consider the total lot as registered, without deducting the area of the lot use for the access to the coasts, beaches or lake shores.
 - b. An increase (bonus) will be permitted, in gross floor area equivalent to the construction area whose cost is twice (2) the cost of the access to be constructed.

SECTION 7.00 - GOVERNMENT CONSTRUCTION PROJECT

- 7.01 - General Disposition - Government projects within the Coastal Zone of Puerto Rico to provide essential public services and infrastructure such as roads, Sanitary and rain water systems, aqueduct lines, telephone and electric lines and other similar services, consideration will be given to prevent erosion along the coast, prevent the contamination of the bodies of water and a special consideration will be given to the impact such works will have over the land use.
- 7.02 - New Roads - All new roads within the coastal zone will be design and constructed, if possible, so that:
- a. The land of the right of way between the terrestrial maritime zone and the proposed road, are reserved, dedicated or acquired for public use.
 - b. Vehicular access is provided to the sectors contiguous to the beaches, coasts and lake shores.
 - c. It does not encourage the irreversible process of the intensive development of the coasts, beaches and lake shores sectors, important because of its natural characteristics.

- d. It does not affect the natural flow or drainage of the waters in such a way that adjacent ecosystems such as swamps, mangroves and others, are adversely affected.

7.03 - Rain Water Sewerage System - All projects for the installation of a rain water collector for existing systems or new ones discharging in bodies of water within the coastal zone, including the coast, beaches and lakes, will be considered as a possible source of water contamination and will proceed in accordance with the Management Plan for Water Quality in Puerto Rico (208-ISLAND).

Such projects will also be considered necessary to the best urban development and the most advanced technological procedures will be used to minimize the contamination of the bodies of water.

7.04 - Sanitary Sewerage System - All construction projects for treatment plants and installation of collectors and discharges of waste water in the coastal zones, will be considered as a possible source of water contaminant and will proceed in accordance with the Management Plan for Water Quality in Puerto Rico (208-ISLAND).

7.05 - Design of Infrastructure Works - The location of essential public services and infrastructure works routes will be decided analyzing their impact, not to stimulate and encourage the intensive development of coastal and beach sectors.

**SECTION 8.00 - SET-BACK OF BUILDINGS OR STRUCTURES FROM THE
TERRESTRIAL MARITIME LIMITS AND SHADOWS STUDIES**

8.01 - General Dispositions - To prevent that the shadows produced by some buildings on the coast and beaches of Puerto Rico hinders their optimum use, all structures to be erected, constructed, transfered or enlarged within a distance of four hundred (400) meters from the Terrestrial Maritime Limit determined by the Department of Natural Resources, will observed a minimum set back, measured horizontally, from its base or nearest wall to the Maritime Terrestrial Zone, to said limit, of two and half (2.5) times its height and such measurement is from terrain level at the base or the wall. This set back will not be less than the fifty (50) meters set back established by Section 3.05 of this regulation.

8.02 - Exemption - In the urban zones, as an alternative to total compliance for the following cases:

1 - In case of a lot, whose formation and urban zonification has been approved by the Board prior to the effective date of this regulation and, for which the required set back does not allow to be utilized according to the zonification of the sector. In this case, the

Board and the Administration will insure that the proposed structure complies, as much as possible with the set back requirement; maximum possible separation from the maritime terrestrial zone should be achieved as long as the required, minimum, back yard is provided.

- 2 - When there are structures on both sides of the proposed construction, within one hundred (100) meters of both side of the lot, measured parallel to the coast line, and the set back is less than the required in this section, in relation fo the height of the existing structures. The height of the proposed building will not exceed the determined mean height obtained by extending an imaginary line between the highest point of the structures on both side of thelot, and the set back can then be the mean of the existing structures.
- 3 - When a structure is located on one side of the proposed construction, within a distance of one hundred (100) meters measured parallel to the coast shore line, and its set back is less than the required in this section in relation to the height of the existing building.

For these cases the proposed structures can have a maximum height equal to the mathematical mean between the real height obtained by dividing the set back of the proposed structure by two and a half (2.5). The minimum permitted set back will be equal to that of the existing structure.

8.03 - Concessions - The Board or the Administration can grant concessions in terms of reducing the required set back from the Terrestrial Maritime Zone (Subsection 8.01) when the following conditions exist and have comply with Subsection 8.04:

1. In case of proposed construction for portuary, fishing, marinas or similar facilities or installations, and its proposed use requires a closer proximity to the terrestrial maritime zone due to its direct relationship to the sea. This will be the only instance when an exemption will be granted from compliance with the set back from the Terrestrial Marine Zone.
2. When the proposed structure is to be constructed in lots contiguous to the Terrestrial Marine Zone, in any urban

zoning district and open spaces, free of visual obstruction, are provided on both side of the proposed construction, and the sum of this lineal distance, measured parallel to the coast, is equal to fifty per cent (50%) or greater than, the lineal distance of the side of the lot contiguous to the terrestrial maritime zone. For this purpose, open spaces are considered to be the locations in the first floor of the building or any other portion of the same whose elevation does not exceed one (1) meter above the terrain, provided the view to the coast is not obstructed. The portion of the lot used for parking in which an automobile produces an elevation of one (1) meter or more measured from curb level, will not be accepted as open spaces.

3. For structures proposed in any urban zoning districts, where at least five per cent (5%) of the construction cost of the upper level of the building that exceeds the required height, is going to be invested in physical improvements dedicated to public use, and not required in any other form or by this or any other regulation. The physical

improvements will harmonize with the best urban development for the particular sector, will relate exclusively with the recreational use of the maritime coast, be of use of and dedicated to be enjoyment of the general public. Its design will be integrated to the topography and natural elements of the area, the existing and permitted uses of the nearby properties and existing or proposed public facilities.

- 8.04 - Buildings Shadows Studies - All request for concessions will include shadows studies indicating that the area within the maritime zone will not receive shadows for more than one (1) hours, between the hours of ten in the morning and four in the afternoon on any particular day of the year.

THIRD PART

ZONIFICATION OF THE COASTAL ZONE

SECTION 9:00 - Maps and Types of Zoning Districts in the Coastal Zone

9.01 - General Dispositions:

The Board will establish for the zoning districts, by means of this regulation and zoning maps of the coastal zone; the use, control and development of the land, bodies of waters, buildings and structures in the coastal zone of Puerto Rico. The waters and the maritime or ocean floor, the reefs, islets adjacent islands within a distance of three (3) marine leagues (nine nautical mile) in water, as the terrain up to one (1) kilometer in land and the required additional, necessary distance to include the important natural systems of the coast.

9.02 - Legal Aspects of the Zoning Maps:

The zoning maps of the coastal zones approved and adopted by the Board, will be part off and apply in conjunction with this regulation. The sector of the urban zoning maps which are included in the coastal zones, will be considered part of the coastal zone zoning maps and will apply jointly with this regulation and other Zoning Regulations.

9.03 - Projects in Zoned Sector:

The dispositions of this Third Part will apply in the zoned areas and complemented by the dispositions of

the Second Part dealing with projects. In the event of conflicts between them, the dispositions that best serve the objectives and purposes of this regulation, will prevail.

- 9.04 - Purposes of the Districts in Zoning Maps of the Coastal Zone Zoning districts are establish in the coastal zone to control new construction; establish new activities in existing buildings and authorizations for subdivisions; to prevent the loss of options to use in the future land of agricultural productivity and other coastal natural resources and to promote the judicious management and utilization of these resources.

Additionally, they are establish to protect the history scenic, recreational, cultural and economical resources from destruction, deterioration and damaged beyond repairs, due to improper use or lack of foresight in preventing the adverse impact that other activities will have over them.

- 9.05 - Other Zoning District:

When justified by planning studies or optimum use and control of the land; the urban districts and the R-0, (Low density residential) as established in the zoning regulation (Planning Regulation No. 4), can be use to classify terrain in developed or to be developed areas, or to be used for public purposes.

When any of the previous conditions are present, a public hearing will be held to consider the proposal.

Other uses of control zones, such as: airport zones, flood prone zones, zones of tourist interests and others, can be added on to the districts designated for the zoning of the coastal zone, in which cases the special regulations for the zones, will also apply.

9.06 - Special Regulation in the Coastal Zone of Puerto Rico:

In the Natural Reserves Areas and Special Planning of the Coastal Zone Management Program of Puerto Rico as well as other sectors in which The Land Use Plans of Puerto Rico or other planning studies, demonstrate, reflect and justify that due to determined particulars and/or different essential characteristics, the application of dispositions different to those in this regulation is justified; those adopted by the board as a special regulation covering these particulars will apply.

Variances in the zoning districts will be identified with a suffix or similar identification, indicating its application in the particular sector.

9.07 - Types of Zoning District in the Coastal Zones:

The following types of zoning districts for the coastal zone are establish by this regulation:

1. District A-1 - Agricultural One:
Consists of non urban, undeveloped, mechanizable terrain with slopes between 0 to 12 per cent and a production capacity between I and IV according to the classifications of U. S. Soil Conservation Services.
2. District A-2 - Agricultural Two:
Consists of non urban, undeveloped terrain, slopes in excess of twelve (12%) percent and a production capacity between I and IV, as classified by the U. S. Soil Conservation Services.
3. District A-3 - Agricultural Three:
Consists of non-urban, developed, terrains with a production capability between V and VII as classified by the U. S. Soil Conservation Services.
4. District AD - Developed Areas:
Non-urban, developed area, bounded by district with permitted uses substantially different from those of the developed areas.

5. District B-1 Interior Forests:
Consists of land where humid tropical forests are located or a reforestation program is planned.
6. District B-2 - Mangrove Forests:
Make up of low, humid terrain subject to tide action, generally populated with mangroves.
7. District B-3 - Dry Forest: Coastal Dry Forests:
Consisting of spacious land, planted or due for a reforestation program.
8. District CR - Conservation of Resources
Where the natural order or the existing artificial condition should be sustained, improved and used in a moderate, judicious manner.
9. District CRR- Conservation and Restoration of Resources:
Consisting of properties or portions thereof, forming part of the cultural or historic patrimony of Puerto Rico.
10. District DM - Mineral Development:
Consist of land where geological and mineralogical studies reflects evidence of or indicates the presence of minerals under the subsoil, in economic, scientific and physical quantities to

establish a viable mineral industry or were mineral activities are presently conducted to include the extraction of materials from the earth crust.

11. District PM - Fishing and Agriculture:

Includes the sectors of land and water whose principal use is or could be the commercial production of sea food.

12. District PP - Public Beaches:

Consist of all beach land, as defined, within the coastal zone up to the limits establish by law or the zoning maps.

13. District PR - Resources Preservation:

Consist of properties or parts thereof whose existing natural order must be mantain to the maximum.

14. District RE - Scenic Route:

Consist of properties or parts thereof located along the margin of the panoramic route whose natural order should be conserved or improved by special control, for the protection of the landscape and the view along the way.



SECTION 10.00 - District A-1: Agricultural One

10.01 - Purposes of the District A-1 - This District is established to classify areas of high productibility or high agricultural potential, whose continued agricultural use is of great importance to the Island. These areas are generally located along coastal and inner valleys, consisting of large size farms with none or scarce population in them. They consist of non-urban, undeveloped, mechanizable terrain, with slopes between 0 and 12% and a production capacity between I and IV as classified by the U. S. Soil Conservation Services.

10.02 - Rezoning Policy in District A-1:

The reclassification of a District A-1 to another zoning district will be primarily govern by the agricultural development plans and other plans adopted and revised by the board, based on the continuous economic development of the Island.

10.03 - Uses in District A-1:

In the District A-1, farms, agricultural units and buildings, will be occupied and used for the following:

1. Principal Uses:

- a. Plant crops, forages and forests
- b. Raise livestock, aviculture, domestic and game animals, bee keeping and fisheries.

2. Accessory Uses:

- a. Processing and packing of products produced in the farm
- b. Sale of farm products, limited to a building

whose area does not exceed seventy five (75) square meters.

c. Mill to process grains produced in the farm.

d. One family residential units

3. Other uses in accordance with the Direct Authorization Section of this Regulation

10.04 - Heights in District A-1

Buildings or structures heights will be determined by the nature of the activity to be conducted in them. No residential building will be over two stories high nor exceed nine (9) meters in height.

10.05 - Farm sizes in District A-1

Farms to be subdivided or segregated after the effective date of this regulation will be, at least, of fifty (50) cuerdas.

10.06 - Property line separation in District A-1

All buildings or structures will observe a separation of, at least, six (6) meters from existing or proposed ways.

Separation in respect to other boundary lines will be determined as establish in the Building Regulation (Planning Regulation Number 7) for the use and construction classification of the building or structure.

10.07 - Building and accesory uses in Districts A-1

Works, installations, buildings and accesory uses will be permitted if closely related or complimentary to the activities conducted in the farm.

10.08 - Parking areas in District A-1

For the uses permitted in this district, parking areas will be provided according to the following ratios:

1. One space per vehicle for each fifteen (15) square meters or part of the gross floor area used for sale of farm products produced in it.
2. One space per vehicle for each fifty (50) square meters of gross floor area used for processing agricultural products. The design of the parking areas will comply with Topic 8, Section 31.00 of the Zoning Regulation (Planning Regulation No. 4).

10.09 - Loading and unloading spaces in District A-1

All buildings or structures used for the processing, parking or sale of farm products produced in the farm, will be provided with a loading and unloading space of at least eight (8) meters long and three (3) meters wide.

10.10 - Signs in District A-1

The signs will conform with Section 47.00, 51.00 and 52.00, Topic 15, of the Zoning Regulation (Planning Regulation No. 4).

SECTION 11.00 - District A-2 Agricultural Two

11.01 - Purposes of the District A-2

This district is established to classify areas of high productivity or high agricultural potential whose continued agricultural use is of great importance to the Island. These areas tend to be low density, partially inhabited. They consists of non-urban, undeveloped terrain, slopes in excess of 12% and a production capacity between I and IV according to the classification of U. S. Soil Conservation Services.

11.02 - Re zoning policy in District A-2

The reclassification of a District A-2 to another zoning district, will be govern, primarily, by the agricultural development plans and other plans adopted and revised by the Board, in terms of the continuous economic development of Puerto Rico.

11.03 - Uses in District A-2

Farms, agricultural units and buildings located in District A-2, will be occupied and use for the following purposes:

1. Principal Uses:

- a. Plant crops, forages and forests
- b. Raise livestock, aviculture, domestic and game animals, bee keeping and fisheries.

2. Accesory Uses:

- a. Processing and packing of farm products
- b. Sale of farm products, limiting the sale space to a building whose area is not greater than seventy five (75) square meters.

c. Mill to process grains produced in the farm.

d. One family housing units

3. Other uses in accordance with the direct authorization section of this regulation.

11.04 - Heights in District A-2

Buildings or structures heights will be determined by the nature of the activity to be conducted in them. No residential building will exceed two stories high nor nine (9) meters in height.

11.05 - Farm sizes in District A-2

Farms to be subdivided or segregated after the effective date of this regulation, will be at least of twenty five (25) meters.

11.06 - Property line separation in District A-2

All buildings or structures will observe a separation of at least six (6) meters from the right of way of all existing or proposed ways.

Separation in respect to other boundary lines will be determined as established in the building regulation (Planning Regulation No. 7) for the use and construction classification of the building or structure.

11.07 - Building and accessory uses in District A-2

Works, installation, building and accessory uses will be permitted if closely related or complimentary to the activities conducted in the farm.

11.08 - Parking Areas in District A-2

For the uses permitted in this district, parking areas will be provided according to the following ratios:

1. One (1) space for one (1) vehicle, for each fifteen (15) square meters or part thereof, of gross floor area dedicated to sales of farm products.
2. One (1) space for one (1) vehicle, for each fifty (50) square meters of gross floor area used for processing agricultural products. The design of the parking areas will comply with Topic 8, Section 31.00 of the Zoning Regulation (Planning Regulation No. 4).

11.09 - Loading and unloading spaces in District A-2

All buildings or structures used for processing, packing or sales of farm products, produced in the farm, will be provided with a loading and unloading space of at least eight (8) meters long and three (3) meters wide.

11.10 - Signs in District A-2

The signs will conform with Section 47.00, 51.00 and 52.00, Topic 15, of the Zoning Regulation (Planning Regulation No. 4.)

SECTION 12.00 District A-3 Agricultural Three

12.01 - Purposes of the District A-3

This district is establish to classify non-urban, undeveloped areas, generally located in undulated mountainous terrain, but can also be found in the plains. This area general development pattern and agricultural nature is adversely affected by the introduction of disperse, urban uses without adequate control and generating an excessive demand of public services. It consists of non urban undeveloped terrain with a production capacity between V to VII as classified by the U. S. Soil Conservation Services.

12.02 - Rezonin Policy in Distrito A-3

Rezoning will be in accordance with the agricultural development plans and other plans adopted and revised by the Board in terms of the economic development of Puerto Rico.

12.03 - Uses in District A-3

Farms, agricultural and buildings or structures will be occupied and used for the following purposes:

1. Principal Uses:

- a. Plant crops, forages and forests**
- b. Raise livestock, aviculture, domestic and game animals, bee keeping and fisheries**

2. Accessory Uses:

- a. Processing and packing of farm products**

- b. Sale of farm products, limiting the sale space to a building whose area will not exceed seventy five (75) square meters.
- c. Mill to process grains produced in the farm
- d. One or two families housing units

12.04 - Heights in District A-3

The heights of the building or structures will be determined in function of the nature of the activity to be conducted in them. No residential building will be over two (2) stories high nor exceed nine (9) meters in height.

12.05 - Farm sizes in District A-3

Farms to be subdivided or segregated after the effective date of this regulation, will be at least of twenty five (25) cuerdas. A smaller area can be permitted for those cases authorized by the Board in accordance with the direct authorization section of this regulation.

12.06 - Property line separation in District A-3

All buildings or structures will observe a separation of, at least, six (6) meters from the right of way of all existing or proposed ways. The separation in respect to other boundary lines will be determined as establish in the Building Regulation (Planning Regulation No. 7) for the use and construction classification of the building structure.

12.07 - Buildings and accessory uses in District A-3

Installations, buildings and accessory uses will be permitted if closely related or complimentary to the activities conducted in the farm.

12.08 - Parking areas in District A-3

For the uses permitted in this District, parking areas will be provided according to the following ratio:

1. One (1) space for one (1) vehicle for each fifteen (15) square meters or part thereof, of gross floor area dedicated to sales of farm products.
2. One (1) space for one (1) vehicle for each fifty (50) square meters of floor area used for processing agricultural products.

The designs of the parking areas will comply with Topic 8, Section 31.00, of the Zoning Regulation (Planning Regulation No. 4.)

12.09 - Loading and unloading spaces in District A-3

All buildings or structures used for processing, packing or sale of farm products, produced in the farm, will be provided with a loading and unloading space of at least eight (8) meters long and three (3) meters wide.

12.10 - Signs in District A-3

The signs will conform with Section 47.00, 51.00 and 52.00, Topic 15, of the Zoning Regulation (Planning Regulation No. 4.)



SECTION 13.00 - District AD - Developed Area

13.01 - Purposes of the District AD

This District is establish to identify non urban areas that have been developed into rural communities, townships, self, sufficient townships, isolated urbanizations, industrial development and other similar uses; to differentiate them from the zoning districts established by this regulation that due to its purposes and particular characteristics, do not apply.

The controls listed hereafter are established to protect and encourage the optimum use of the land, prevent health problems and the contamination of the bodies of water with disposed waste, until studies of the areas are completed and the land use plans are adopted or zoning by districts is accomplished.

13.02 - Uses in Distrit AD

The uses permitted will be in accordance with the uses designated in the land site consultation for the subdivision approved by the Board and the preliminary development approved by the Administration for rural communities, isolated urbanizations or industrial developments.

Townships developed without an approved preliminary development designating the land uses, changes in uses or land subdivisions will not be permitted except when they are in accordance with the character of the neighborhood, were located.

Existing uses and the formation of new lots will be permitted provided they are in compliance with Section 3.03. The proposed uses for the new lots can be residential, institutional or commercial of a local nature, as long as the uses harmonize with the predominant characteristics existing in the immediate neighborhood. New industrial uses will be of the light type and will be permitted only in lots contiguous, laterally, at least on one side, with similar uses, provided they comply with the environmental public policy Act No. 9, June 18, 1970, as amended.

13.03 - Subdivisions in District AD

Lots for residential uses, with minimum areas of four hundred (400) square meters will be permitted. As an exception, smaller lots will be permitted when the proposed subdivision is in a populated area or other areas with urban characteristics including facilities and public installations, allowing for an increase in its population density.

In all cases, the minimum size permitted will be subject to the topographic conditions of the lot, its access and the facilities or form of disposing of the waste waters.

13.04 - Constructions in District AD

- a. Occupation area - Maximum occupation of fifty (50%) percent of the lot area permitted.
- b. Construction area - Maximum construction area permitted (gross floor area) of one hundred (100%) percent of the lot area.
- c. Front Yard - One (1) lineal meter, except cases where the lot is located in a block with other existing constructions with the front facing the same access, in which case, larger or smaller yards will be required to preserve the harmony of the total.
- d. Side and back yard - The lateral and back yard for the construction equipped with doors or windows: Three (3) lineal meters or (1/5) of the height of the wall when it exceeds ten (10) meters in height, whichever is greater.

13.05 - Density in District AD

The number of families will be determined based on the lot size:

- a. One or two families unit will be permitted in lots less than eight hundred (800) square meters.
- b. One or two families unit will be permitted in lot equal to or greater than eight hundred square meters.



In isolated communities and developments served by a sanitary sewage system, two families houses can be permitted or the density permitted for the corresponding residential district, according to the size of the lot in accordance with the Zoning Regulation (Planning Regulation No. 4).



SECTION 14.00 - District B-1 Interior Forests

14.01 - Purposes of District B-1

This District is established to classify terrain with special characteristics to plant timber producing trees and to protect soil water. The special characteristics of the terrain are based on the type of soil, topography and relative humidity of the same. These districts include terrain with existing forests as well as those recommended to be stocked.

14.02 - Rezoning Policy in District B-1

The reclassification from a District B-1 to another zoning district, will be determined by the preservation, conservation and reforestation plans, as well as the regional recreational and out doors plans adopted and revised by the Board in terms of the continuous growth of Puerto Rico.

14.03 - Uses in District B-1

In District B-1, land and buildings will be permitted to be use for the following purposes:

1. Principal Uses:

- a. Plant forests
- b. Other crops, including fruit trees, provided there is no conflict with the forest development.
- c. Aviculture and other animals provided there is no conflict with the forest development.

2. Accessory Uses:

- a. Sale of forest products, including lumber and lumber products as long as the cutting is done in a scientific way and not conducive to deforestation, limiting the space to a building not exceeding seventy five (75) square meters.
- b. Construction of roads and horse stables to compliment the horse riding sports.
- c. Handicraft shops for wood products.
- d. One family residential units.

3. Other uses according to the provisions of the section on exceptions (direct authorization) of this regulation.

14.04 - Heights in Districts B-1

The heights of the buildings and structures will be determined in function of the special activity to be establish in each one. No residential building will have more than two stories high nor exceed nine (9) meters in height.

14.05 - Farm Sizes in District B-1

All farms in District B-1, to be subdivided after the effective date of this Regulation will be of at least fifty (50) cuerdas.

14.06 - Property Line Separation in District B-1

All buildings or structures will observe a minimum separation of six (6) meters from the right of way of all existing or proposed ways. The separation in respect to other boundary

lines will be determined as established in the Building Regulation (Planning Regulation No. 7) for the use and type of construction classification of the building or structure.

14.07 - Building and Accessory Uses in District B-1

Works installations, buildings and accessory uses which are closely related or complimentary to the crops or breeding activities conducted as principal use of the farm, will be permitted.

14.08 - Parking areas in District B-1

For the uses permitted in this district, parking areas will be provided in accordance with:

1. One (1) space for one (1) vehicle for each fifteen (15) square meters, or parts thereof, gross floors area dedicated to the sale of products produced in the farm.
2. For discretionary uses permitted in District B-1, parking spaces will be provided in accordance with Section 31.00, Topic i, of the Zoning Regulation (Planning Regulation No. 4).

14.09 - Loading and unloading space in District B-1

All building or structures used for selling products produced in farms, will be provided with a loading and unloading space of at least, eight (8) meters long and three (3) meters wide.

14.10 - Signs in District B-1

Signs will comply with Sections 47.00, 51.00
and 52.00 of Topic 15 of the Zoning Regulation
(Planning Regulation No. 4.)

SECTION 15.00 - District B-2 Mangrove Forests

15.00 - Purposes of District B-2

The District B-2 is established to classify the different types of mangrove forests in Puerto Rico, to protect them from irreparable damages cause by the improper use and lack of foresight in considering the negative impact other activities have over them.

15.02 - Types of Mangroves

The five (5) types of mangroves available in Puerto Rico can be zoned under this District B-2:

1. Overwash mangrove island

Overwashed by daily tides, covered by dense, deep roots, mainly red mangroves found in the South Coast.

2. Fringe mangroves found along shore lines, canals, rivers, lagoons, dominated by red mangroves. Two variations. The coastal and island type found in the South Coast.

3. Dwarf or scrub mangroves. Smallest, less than 2 meters tall, of mangrove forest; grow on hypersaline soils where no other plants can. Red or black mangroves predominate, usually found along the East and South Coast.

4. Riverine mangroves found in saline portions of flood plains of rivers and other fresh water courses. Red mangroves predominate; usually found along the North Coast.

5. Basin mangroves found inland in depressions where water movement is slow, or flat areas inundated only by hightides. Red and white mangroves predominate. Usually found along the North Coast.

15.03 - Uses in Districts B-2

Because each type of mangrove have special value and unique characteristics requiring different management needs, the uses to be allowed, according to the limitations imposed by nature, will be the following:

1. Overwash mangrove island. These mangroves can be used for fishing, uses related to its aesthetic value, refuge and sanctuary of species and the protection of the coastal areas. Scientific research and limited passive recreation can also be allowed.
2. Fringe mangroves - The following uses can be authorized:
 - a. Limited production of lumber; approval by the Department of Natural Resources for carefull and selective cutting areas is required.
 - b. Passive recreation facilities and other structures provided that the ecological balance and natural function of the system are not disturbed.
 - c. Scientific Research
 - e. Fishermen wharfs
3. Dwarf or scrub mangroves - Only scientific research

will be authorized; if disturbed, regeneration is extremely slow, over 50 years.

4. Riverine mangroves: Can be Authorized:

- a. Timber and tanning production exercising care to maintain natural production, with prior approval by the Department of Natural Resources.
- b. Flood buffers and protection of the coast line,
- c. Scientific Research.

5. Basin mangroves - Can be Authorized:

- a. Timber and tanning production exercising care to maintain natural production, with approval by the Department of Natural Resources
- b. fishing
- c. limited passive recreation
- d. flood buffers and protection of the coastline
- e. scientific research

5.04 - Signs in Districts B-2 - Posting of signs in a B-2 Districts is not authorized. The installation of signs identifying the area, establishing cautions and norms dealing with the preservation of the resources, species, classes, etc., are authorized provided they do not contain commercial advertise-

15.06 - Accessibility

Accessibility into the B-2 Districts can be limited, controlled or prohibited, depending on the type of mangrove and the effect the public could have on the mangroves.

SECTION 16.00 - District B-3 Dry Forest

16.01 - Purposes of District B-3

This district is established to classify land planted for reforestation of dry forests, spines or thorns, coastal variety. These forests are located in arid land in the South, Southeast and Southwest parts of Puerto Rico.

16.02 - Rezoning Policy in District B-3

The reclassification from a District B-3 to another will be determined by the preservation, conservation and reforestation plans as well as the regional recreational and outdoors plans.

16.03 - Uses in Districts B-3

In the District B-3 which are not classified to be preserved, land and buildings will be authorized to be use for the following purposes:

1. Principal Uses:

- a. Plant dry, thorny forests
- b. Other plants and crops including fruit trees typical of the region that do not disturb the forest.
- c. Raise livestock and aviculture not interfering with the forest area development.

2. Accessory Uses:

- a. Sale of forest products including fiber, products and timber, following a cutting plan that will permit the regeneration or reforestation of the forest area.

b. Constructions of roads to provide recreational areas

c. One family houses; one per farm

3. Other uses according to the provisions of the Direct Authorization Section of this Regulation.

16.04 - Heights in District B-3

The height of the building will not exceed two stories nor nine (9) meters.

16.05 - Farm Sizes in District B-3

All farms in the District B-3 formed after the effective date of this regulation will be, at least, of fifty (50) cuerdas.

16.06 - Boundary Line Separation in Districts B-3

All buildings and structures will observe a separation of at least six (6) meters from any line of the way toward which the farm in question faces.

The separation in respect to other boundary lines will be determined as established in the building regulation for the use and type of construction method classification of the building and structure.

16.07 - Buildings and accessory uses in District B-3

The buildings and accessory uses will comply with Section 36, Topic 10 of the Planning Regulation No. 4.

16.08 - Parking areas in District B-3

Parking areas for the uses permitted in this District will be provided in accordance with the following ratio:

1. One (1) space for one (1) vehicle per each fifteen (15) square meters or parts thereof, of gross floor area dedicated to sale of farm products.
2. Parking for discretionary uses permitted in District B-3 in accordance with Section 31.00 of the Zoning Regulation (Planning Regulation No. 4).

16.09 - Loading and unloading space in District B-3

All buildings and structures use for sales of farm products must be provided with a space for loading and unloading, of at least eight (8) meters long and three (3) meters wide.

16.10 Signs in District B-3

Signs will conform with Sections 47.00, 51.00 and 52.00 of the Zoning Regulation (Planning Regulation No. 4).

SECTION 17.00 - District CR

Conservation of Resources

17.01 - Purposes of District CR

The natural resources conservation district is established to classify specific areas of the coastal zones, such as bioluminescent bays, mangroves, forests, dunes, lakes, geological formations, coral reefs, marine parks, areas of extraordinary beauty wildlife refuges, indigenous flowers reservations, falls, springs, caves and sinks, natural habitat for endangered species and other areas of special interest that should be protected for observation, scientific studies and the limited and controlled use as recreational facilities.

17.02 - Uses in District CR

The following uses will be permitted in the District CR, provided there is no conflict with the conservation of the natural resource to be protected:

1. Picnic areas
2. Public parks
3. Scientific research
4. Museums
5. Ranger stations
6. Police stations
7. Outdoor walking areas
8. First aid stations
9. Other uses as established in Section on

Exceptions (Direct Authorization) of this Regulation



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17.03 - Construction in District CR

The following constructions, works of buildings can be authorized in Districts CR:

1. Buildings or structures depending on the activity that will be conducted. For projects approved in accordance with Section 28.06, the area to be occupied will be limited to one (1) percent of the lot area and two (2) percent of gross floor area and a minimum set back of six meters from all boundaries.
2. Construction of trails and paths not over firm, unpaved surface, no vehicular traffic permitted except in emergencies.
3. Installations of infrastructure services necessary for the uses authorized.
4. Construction of accessory structures for the uses permitted.

As for the height, buildings and structures will be design to harmonize with topographic features, vegetation and the general natural character, so that the natural environment prevails over the structures to be erected.

17.04 - Parking Areas in District CE

Parking areas will be provided for the uses permitted in this district in accordance with Section 31.00, Topic 8, of the Zoning Regulation (Planning Regulation No. 4.)

17.05 - Signs and Advertisement in District CR

There is no advertising permitted in Districts CR.

Signs are permitted only when they identify services in the area, warnings and/or precautionary information, publicizes measures established to conserve the resources or to identify the species, classes, etc, provided no commercial advertising is included in them.

17.06 - Subdivision in District CR

The subdivision of terrain is not permitted in District CR.

17.07 - Accessibility

Accessibility can be controlled.

SECTION 18.00 - District CRR

Resources Conservation and Restoration

18.01 - Purposes of the District CRR

The District CRR is established to classify land or properties in the coastal zone of Puerto Rico that constitute buildings or architectural values, monuments or structures of great historical and/or architectonic value.

18.02 - Uses in District CRR

Only museums, picnic areas, scientific studies and parks will be permitted in CRR Districts provided there is no conflict with the investigation, conservation and restoration of monuments, places and pre colombian archeological findings or structures.

18.03 - Excavations; Demolitions or Constructions in District CRR

No excavations or demolitions that might affect, destroy or eliminate archeological values or structures of a historic or architectural value, will be permitted in the CRR Districts. The following types of constructions will be permitted in this District provided there is no interference with the purposes of the District:

1. Buildings or structures depending on the activity to be conducted in them.
2. Construction of paths or roads, not over three (3) meters wide: firm, unpaved surface, on which vehicular traffic is not permitted except in emergency cases.
3. Installations for infrastructures services necessary for the uses permitted.

18.04 - Signs and advertisements in Districts CRR

No advertisements permitted in CRR Districts. Signs which identify the area and provide information on precautions and measures related to the conservation of the area will be permitted provided they do not contain commercial propaganda of any type.

18.05 - Subdivisions in District CRR

The subdivision of land will not be permitted in the CRR District.

18.06 Accessibility

The accessibility can be controlled.



SECTION 19.00 - District DM

Mining Development

19.01 - Purposes of the District DM

This District is establish to classify terrain dedicated or to be dedicated to mining developments to include extracting materials from the earth crust. Terrain will be included within this District after geological or mineralogical studies have been completed or based on the best geological or mineralogical, available information, demonstrating the existence of ferrous and non-ferrous minerals, of economic (Mine Act) and non-economic (Earth Crust Act) minerals, under and above ground, in sufficient quality and quantity to permit an economical, scientific, physical exploitation of the resources as a mineral activity beneficial to the interests of Puerto Rico.

19.02 - Zoning Policies in District DM

Prior to the start of the exploitation of the mineral deposits, the terrains can be zoned for agricultural purposes in accordance with its soil production capacity and its topography, Upon completion of the mineral exploitation of the deposits, the land can be re-conditioned for other high yield uses that harmonizes with the contiguous areas.

19.03 - Uses in District DM

Construction of permanent buildings or structures will not be permitted in land classified DM, except those which are necessary to the mineral development. The land in which the mineral deposits are located, can be use for agricultural purposes pending

the beginning of the mineral exploitation, as if it were classified for the agricultural district corresponding to the quality of the land under consideration. In this situation, only the construction of temporary structures related to the agricultural unit established, will be permitted.

19.04 - Heights in District DM

In a mineral development district the height of the structures permitted, will be that which is required for the corresponding mineral activity.

19.05 - Subdivisions in District DM

The subdivision of the land in a District DM will not be permitted.

19.06 - Parking Areas in District DM

Parking areas in District DM will be provided in proportion to the number of employees, operators, and executives working during the busiest shift.

19.07 - Loading and Unloading Spaces in District DM

All buildings and structures constructed in a District DM will be provided with a space for loading and unloading of at least eight (8) meters long and three (3) meters wide.

19.08 - Puerto Rico Mineral Resources Development Corporation

Upon request from the Puerto Rico Mineral Resources Development Corporation, of the Department of Natural Resources, or on its own initiative, the Board can classify land dedicated or to be dedicated to mineral development under this District DM.

SECTION 20.00 - District PM

Fishing and Aquaculture

20.01 - Purpose of District PM

The District for fishing and aquaculture is establish to classify those coastal sectors which are been utilized or can be use, because of its great potential, to develop a fishing industry and/or aquaculture, or cultivate marine species.

20.02 - Uses in District PM

The uses permitted in the District PM are:

1. Commercial fishing of fishes and other marine species
2. Breeding fishes and other marine species
3. Processing center and selling of fishes and marine products.
4. Fishing villas or centers
5. Organizing fishermen cooperatives or other groups of recognized commercial fishermen.
6. Aquaculture centers and enterprises and other uses compatible with the fishing industry.

20.03 - Subdivisions in District PM

The subdivision of land is permitted in District PM to allow for the uses permitted by this section. Each project will be evaluated by the Board by means of the land site consultation process.

Projects for fishing centers villas or projects presented by recognized groups of commercial fishermen will be considered under the provisions of the District AD, Developed Areas, of this Regulation.

20.04 - Construction in District PM

The following construction will be permitted in the District PM:

1. Construction for processing centers, fish markets, marine products, fish ponds for marine organisms and for centers and aquaculture enterprises.
2. Constructions of fishing centers and villas will be permitted in accordance with the dispositions of the District AD, Developed Area.
3. Fishing marinas, ships yards, dockyards, warfs.
4. Pools or ponds, bay estuary or other marine environment suitable for growing marine species.
5. Places and centers for fishermen cooperatives or group of commercial fishermen as well as aquaculture center and enterprises.

20.05 - Accessibility

Accessibility will be controlled depending on the particular sector and the effect that access by the general public could have on the fishing industry. Accessibility can be prohibited where motor boats, other vehicles, oil waste, lights and persons affect breeding habits and places of turtles, lobster, shell fish, etc.

SECTION 21.00 - District PP

Public Beaches

21.00 - Purposes of District PP

This district is established to classify beach sectors in Puerto Rico that due to its scenic, historic or recreational characteristics have an optimum potential for future development or present use, as coastal tourist and recreational centers: as well as terrain within the terrestrial maritime zone.

21.02 - Uses in the District PP

Uses permitted in the District PP are:

1. Public beaches and other recreational facilities
2. Wharfs and boats docking facilities with the exception of terrain within the terrestrial maritime zone; the following additional uses are permitted in District PP.
3. Golf courses
4. Hotel and vacation facilities
5. Picnic areas
6. Tourist villas
7. Trailer homes campgrounds
8. Restaurant and other accessory uses
9. Camping grounds

21.03 - Concessions, franchises, permits and leases.

Concessions, franchises, permits or leases of public land within a District PP, made by the state through one of its government

organism, to a private agency for recreational and/or tourism purposes, will comply with the dispositions of this section and this regulation.

21.04 - Subdivisions in Districts PP.

Subdivisions of land in Districts PP will not be permitted except for the purposes and uses in the District.

21.05 - Constructions in Districts PP.

Constructions of the following type will be permitted in this District:

1. Structures or buildings determined by the activity to be conducted in them.
2. Construction of paths or roads not wider than three (3) meters; firm, unpaved surface; no vehicular traffic authorized except in emergencies.
3. Installations for infrastructure services necessary for the uses permitted.
4. Construction of accessory structures to the uses permitted.

21.06 - Signs and Advertisements in District PP

No installations of advertisements permitted in this District.

Installation of signs, which identify the area and services available and provide informations and measures related to the conservation of the area, will be permitted.

21.07 - Accessibility

The access into a District PP cannot be close or obstructed.

When the development or subdivisions contiguous to strips of public beaches are approved, the developers will be required to provide pedestrians and vehicular access into the public beach. The main access into the the development or subdivision will be extended to the separation zone contiguous to the terrestrial maritime zone, to provide access to the public beach.

Vehicular access will be provided in the District PP with a separation or space, not greater than sixteen hundred (1,600) meters between beach.

21.08 - Public Beaches

Projects for public beaches, either private or government sponsored, will comply with provisions of Section 5.06, second part and this section, of this Regulation.



SECTION 22.00 - District PR

Resources Preservation

22.01 - Purposes of District PR

This District is establish to classify specific areas of the coastal zone constituting natural resources to be protected for scientific studies and contemplation.

22.02 - Uses in District PR

The land uses policy is to maximize the preservation of the existing natural condition of these areas. Uses permitted are:

1. Scientific activities and studies, conducted under the supervision of accredited educational institutions as well as Bona Fide scientific group or associations, entity or persons.
2. Controlled contemplation supervised by custodian of the resources. Visits by groups interested in walking or hiking, will be permitted.

22.03 - Signs and Advertisements in District PR

The installation of advertisement in this District is prohitied. Signs identifying the area, informing on cautions and measures for the preservation of the resource, identifying species, classes, etc. will be permitted, provided they do not contain any commercial propaganda.

22.04 - Subdivisions in District PR

Land subdivision is not permitted in this District.

22.05 - Construction in District PR

Only construction directly related with the scientific studies indicated in this section, will be permitted.

22.06 - Accessibility

Accessibility will be controlled or obstructed depending on the uniqueness and natural value of each particular coastal resource.



SECTION 23.00 - District RE
Scenic Route

23.01 - Purposes of the District RE

The purpose of this District is to establish appropriate controls over the use of properties and land located along the margins of the panoramic route to protect the contemplation and enjoyment of the view or panorama.

23.02 - Uses in District RE

The land use policy in this district is to preserve to its maximum the existing natural condition of the land and properties. Uses permitted will be those that complement, harmonize, and encourage the maximum enjoyment of the natural and cultural environment as well as the beauty of the landscape. In consonance with this policy, land and buildings will be permitted to be used and occupied for the following purposes:

1. One (1) family housing, including those accessory uses that contribute to the typical environment and the puertorican culture, provided they conform with the purposes of the zone. As part of the accessory use, products permitted for sale will be home made and will consist of artisan objects, typical foods or any regional traditional object.
2. Open air eating space (merendero)
3. Observation place or areas to enjoy the view or panorama.
4. Guest house with a maximum of twenty five (25) rooms.

running surface of the road. Structures to be constructed on the opposite side of the panorama should enhance and harmonize with the purposes of the zone.

2. All residential or agricultural areas, subdivided after the effective date of this regulation will cover an area of at least twenty thousands (20,000) square meters and a minimum width of one hundred (100) meters.

The size of a lot to provide services to travelers using the way, will be determined by the administrator of the Regulations and Permit Administration, based on the proposed specific use. In no case will the lot be less than one thousand (1,000) square meters and, when its width is less than one hundred (100) meters; its depth will not exceed three times its width.

3. One (1) access to the way for each lot, plus one (1) access for each two hundred and fifty (250) meters of lot front to the way, will be permitted. Subdivisions authorized after the effective date of this Regulation can not increase the number of access along the way.
4. All front yards facing the way will be at least of ten (10) meters. Lateral and back yards will be of at least, six (6) meters. Under no circumstances will the sum of the width of the lateral yards, be

less than the width of the building measured parallel to the way.

5. All accessory uses will be colocated in the same lot with the principal use it will serve and:

- a. It will be incidental to and currently with it.
- b. It must contribute to the welfare, convenience or needs of users of the principal.
- c. It can be established at the same time as, or after, the principal use, but never before. The discontinuance of the principal use, implies the discontinuance of the accessory use.
- d. It will comply with the requirements for yards, established for the principal use.

6. All spaces to be provided for vehicular parking, as part of the approved projects will be at least of 2.5 meters wide and 5.5 meters long. Its location will correspond to a functional movement pattern in which one vehicle will not prevent another vehicle from moving nor will it force another vehicle to back into the traffic traveling the way.

7. All constructions will observe a set back of at least sixty (60) meters from any body of water, rivers, creeks, lakes, lagoons, streams, etc., located either in public or private property.

23.04 - Demolitions in District RE

Demolitions of buildings of a typical puertorican nature will not be permitted in this District. When presenting a petition for approval of building demolition, the petitioner must provide assurance that once the demolition is approved and has started, it will be totally completed and the area clean, free of debris and rubbish.

23.05 - Signs and Advertisements in Districts RE

The installation of advertisements in this District is prohibited. Only those signs authorized by the Administrator of the Regulations and Permits Administration as part of the uses permitted, will be allowed. These signs will be installed only in the place where the service is offered. The Department of Transportation and Public Works can install warning or information signs, announcing the services offered which are necessary and convenient to the traveler.

23.06 - Subdivisions in District RE

Subdivision of land in this District will be permitted when it complies with requirements of this Regulation. The Administrator, will prevent lineal developments of one lot deep along the Panoramic way, when approving simple subdivisions to be use to provide services to the traveler.

FOURTH PART

PROCEDURES AND REGULATION ADMINISTRATION

SECTION 24.00 PROJECT PROCEDURES

- 24.01 General Disposition - On the effective date of this Regulation and the Coastal Zones Zoning Maps, all subdivisions, developments and land development projects, as well as constructions, reconstructions, alterations, enlargements, transfers, demolitions, use of buildings and installation of signs in the Coastal Zone, will need authorization or permit prior to starting the activity. To obtain such permit or authorization the project must be presented to the Board on a land site consultation or to the Administration in the subsequent stages.
- 24.02 Limits of the Maritime Terrestrial Zone - All projects with an approved land site consultation and subsequently presented for further review, located adjacent to or near a coastal sector, beach or lakeshore, will be required to present along with other documents and requirements, a minimum of five (5) copies of a survey plan approved by the Secretary of the Department of Natural Resources, establishing the maritime terrestrial limits. The certificate establishing such limit will be effective for a period of one

(1) year and is understood that it does not constitute permanent property rights and that it represents said limits as of the date of the plan, that it can vary as nature affects the contour of the coast or beach.

- 24.03 Environmental Forms - All projects presented to the Board or the Administration must include an environmental impact analysis on either the Board or the Administration Environmental Form, in which emphasis is given to the natural character, attractions environmental and ecological importance of the beach or coastal sector. An Environmental Impact Statement could be required if, after a review of the Environmental Form it is determined that the project could have a significant environmental impact.
- 24.04 Executive Summary - An Executive Summary of the project must be included describing the importance or historic, scenic, cultural and recreational value of the coast or beach sector.
- 24.05 Public Hearings - When requested by the proponent or by person or persons affected, or on its own initiative, the Board could decide to hold Public Hearings on any building construction project, land site consultation or land development projects, contiguous to the terrestrial maritime zone presented for consideration.

- 24.06 Department of Natural Resources Endorsement - Projects within the coastal zone of Puerto Rico, specially those contiguous to the terrestrial maritime zone or a natural resource to be preserved, will need for its evaluation, comments from the Department of Natural Resources. Comments will be requested by the Board during the land site or land use consultation and, by the Administration, when a land site consultation is not required. The Department of Natural Resources must answer within the term established by the Board. If no answer is received within the time frame established, it will be understood that the Department has no comment on the project.
- 24.07 Agencies Remarks - All buildings construction projects and land developments within the coastal zone submitted to the Board or the Administration for approval, must be studied and commented by the public agencies concerned with any phase of the project.
- 24.08 Resolution - After the corresponding evaluation of the project, the Board on the site consultation stage or the Administration on subsequent stages, will issue a Resolution either approving or disapproving the same. The



resolution approving the project will include specific instructions on requirements for the separation zone and public access to the beaches, coast or lakeshores. If the project is exempted from providing public access to the beaches, coast or lakeshores, the resolution must specify the reason(s) for the concession.

- 24.09 Disapprovals of Special Cases - When a sector in the Coastal Zone of Puerto Rico, within which a project is proposed, contains such special characteristics that it is impractical the application of the dispositions of this regulation and the approval of the project is undesirable due to such factors as health, security, order, public improvements, improved land use, aesthetics conditions, environmental or exceptional beauty; the Board in accordance with Art 17 and 27 of the Organic Act or the Administración base on Art 7 and 9 (b) of its Organic Act, can disapproved the project after considering the recommendation of the interested government agencies, the protection of public welfare and the consideration of other factors involved. The Board or the Administration will celebrate public hearings for this cases and express in the resolution the reasons for such

actions, the legal bases upon which the decision by the Board or the Administration is formulated must be also included.

SECTION 25.00 ZONING PROCEDURES FOR THE COASTAL ZONE

25.01 General Disposition - On its own initiative, the Board will study and adopt the zoning maps for the coastal zones. It will consider requests for zoning of a sector submitted by an interested party, official or body; this petition will be supported by reliable data that permits the Board to zone the sector in accordance with Part Three of this Regulation. The Zoning Maps of the Coastal Zones, or amendments, will become part of this Regulation on their effective date.

25.02 When it is not its own initiative, the Board will consider a zoning petition for changes conforming with this Regulation, when the person, agency or property owner presents the following:

1. Evidence that owners of properties to be zoned have been notified. The Treasury Department property numbers and owner's name must be included.
2. Evidence that at least twenty (20) owners of properties closest to the area affected have been properly notified of the intention to submit the petition. These notifications will be distributed in a proportioned manner around the

affected area increasing the radial distance to include the closest twenty properties.

3. Sketch of the area indicating the location of the property in respect to the maritime terrestrial zone, ways, rivers, creeks, other reference points within the area and its surroundings, the properties and postal address of the persons to be notified in accordance with (2) above, will be also indicated.
4. Executive Summary - Consist of a clear, complete description of the sector, location, outstanding characteristics, historical, scenic or cultural importance.
5. Supporting Data - Supports with scientific analysis, the worth of the area to be protected or preserved. One of the coastal zone zoning district should be requested.
6. Location Plan (1:20,000) - Showing the North and uses, if any, of the adjacent properties.



7. Size (in metric system).

The Board can request other data or exempt from presenting any of the above, when it has been demonstrated that it can not be complied with.

25.03 Other Party Properties and the District "PR" - Before the Board considers zoning or rezoning to a District PR a property belonging to a person other than the one submitting the recommendation, the following must be presented in addition to the requirements in subsection 25.02 of this Section 25.00:

1. An Action Plan analyzing the alternative for acquiring the property (purchase, expropriation, donation, others) adjacent to the beach or coast, within a maximum period of eight (8) years, to include an estimated cost of the properties. When recommending the acquisition of the same, a commitment by the agency to acquire and administer the property and when it will be acquire, must be included.

25.04 District Limits - The district limits will be the axis of the ways, roads, property lines, centers of the rivers and creeks limits of the terrestrial maritime zone, reefs, municipalities

and wards limits, defined topographics features or, when not physically identifiable, they will be determined based on the scale of the zoning map.

25.05 Amendments to the Coastal Zone Zoning Maps - A Coastal Zone Zoning Map can be amended by the Board on its own initiative or on request, by any government body. Request for amendments presented by individuals will be considered by the Board when accompany of:

1. Evidence that the request is signed by all property owners included in the same.
2. Edivence that at least twenty (20) property owners closest to the affected property have been notified of the intent to register the proposed amendment. These notifications will be distributed equidistant in all directions from the affected property, the radial distance can be extended to cover the closest twenty (20) properties.
3. Sketch showing the location of the affected area in respect to the terrestrial maritime zone, ways, rivers or creeks within the area or its surroundings; the properties and

addresses of the owners to be notified in (2) above, will be identified in the sketch.

4. Any information and documents required by the Board in the applicable form.
5. Scientific evidence refuting the reasons used, originally, to zone the property under one of the districts of this Regulation.

The Board can request additional requirements or exempt from compliance with one or more of those indicated, when it has been proved to the Board satisfaction, that they can not be complied with.

The amendments to the zoning maps do not present fundamental changes to the existing maps except, to implement the recommendations of the Land Use Plan and the Integral Development Plan of Puerto Rico, as approved.

- 25.06 General Welfare - All Zoning proposal or changes to the Coastal Zone Zoning Map will be justified based on the benefits that will be derived by the people of Puerto Rico, the community or sector.



25.07 Public Hearings - In accordance with Article 27 of the Organic Act of the Board, a public hearing is required prior to a determination by the Board regarding zoning or rezoning petitions on the coastal zone.

Request for amendments to the Coastal Zone Zoning Maps will be registered with the Board prior to the date of the scheduled public hearing. The Board will establish the dates for submitting the petition for changes to the coastal zone zoning maps and make public announcements on news papers or other appropriate communication media. The date, place and nature of the hearing will be made know by placing a notice in a general circulation newspaper of Puerto Rico at least fifteen (15) days prior to the date of the hearing.

25.08 Resolution Designating the Coastal Zone Zoning District - Upon approval of zoning or rezoning proposal, the Board emits a resolution and a map indicating the designated zoning districts for each sector of the Coastal Zone.

25.09 Effective Date of the Zoning Maps - Once approved and signed by the Governor, the Coastal Zone Zoning Maps will become effective fifteen (15) days from the time they are posted to the public

in the City Halls of the municipalities affected. The Board will make public the adoption of the zoning, maps, exposition of the same in the corresponding City Halls and its availability in the Office of the Board's Secretary by publishing a notice for three (3) consecutive days in a general circulation newspaper in Puerto Rico.

- 25.10 Effective Date of the Amendment to the Zoning Maps - Amendments to the zoning maps will be made public in accordance with procedures in Section 25.09, and the publication of the notice in the newspaper will appear only one (1) time. Approval and signature by the Governor, of the amendments, will not be necessary and they will be effective fifteen (15) days after its publication on the newspaper.

SECTION 26.00 REQUIREMENTS AND ISSUANCE OF PERMITS

26.01 General Dispositions - After the effective date of this Regulation the requirements and issuance of permits within the Coastal Zones of Puerto Rico will be govern by criterias established here with.

26.02 Permits Requirements - In accordance with pertinent dispositions of this Regulation, a permit will be required to use any structure or property, or to construct, rebuild, alteration, enlarge or move any structure as well as the installation of signs or advertisements within the Coastal Zone of Puerto Rico.

It will not be necessary to comply with the requirement of construction permit, for structures whose construction has been legally authorized prior to the effective date of this Regulation and the works accomplished within the effective dates of the permit; or for repairs of structures except within the Historic and Antique Zones established by Act No. 374, May 14, 1949.

26.03 Issuance of Permits - Construction, use installation of signs or advertisement permits will be issue when the structures, uses or signs or advertisements, harmonize and are in agreement with the requirements of this Regulation. The

construction or use permit will be issue individually for each lot or farm. A performance bond could be required in accordance with Act No. 76, June 24, 1975, to issue a construction or use permit, when the nature of the use justifies it.

26.04 Permits Related with Public Ways

(1) As of the effective date of this Regulation, construction, reconstruction, alteration, extension or use permits for any building or lot will not be issue unless the lot has the corresponding access. For new developments, construction permits can be issue upon determination that the affected lots will have the corresponding access once the works are completed.

(2) When the proposed ways or roads are included in the Department of Transportation and Public Works Five Years Highways Construction Program, or programmed for construction by the Municipal Authorities, the recommendations in the land use plans will prevail without modifications and no buildings construction will be authorized within the proposed right of way (Art 21, Act No. 76, June 24, 1975).



(3) When the construction of the roads proposed in the highways plan has not been program, as previously indicated, the issuance of construction and use permits for buildings or structures will be permitted, without consideration that they will occupy land affected by the tracing, continuation, widening, extension or prolongation of the ways in accordance with:

- a. Construction or use of buildings or structures, for any purpose, permitted in the district of zone were located in accordance with Resolution JP-235, October 28, 1981 - "Establishing Parameters for Issuance of Permits in Properties Affected by the Vial Plans".
- b. The parameters established do not bear the effect of permitting the construction and uses of buildings or structures nor the subdivision of land in districts were security measures for the protection of lives, properties and resources, prohibits them.
- c. The permits issued under the above provisions will indicate the possibility that the project could be affected in the future, by the construction of a way.

(4) Lots affected by programmed public ways as indicated, but not constructed, the dispositions of this Regulation will apply to the remnant of the lot as if the ways were constructed.

(5) Constructions projects for ten (10) or more basic housing units, in lots where a bonus has been authorized in density or gross floor area, based on the land donated to expand the way, the construction of improvements works in front or within the lot, as required by the Department of Transportation and Public Works or the Municipal Government, depending on the case, and corresponding to the direct vehicular access into it.

26.05 Permits Related with Airport Zones - No permits will be issued for the use of properties or for the erection, transfers or alteration of buildings or structures, including chimneys, posts, tanks, radio towers, antennas, towers, electrical transmission lines or other structures permitted by this Regulation, when they cause interference with radio communications between the control tower and the aircrafts, or they hinder pilots visibility by obstructing airports lights or other control lights, or causes reflections that bothers pilots using the

airport, or diminish visibility in the vicinity of the airport, or constitute a hazard to landing, take-off or maneuverability of the aircraft, or the established heights limits in relation to the Airport Zones are exceeded.

- 26.06 Legal Non-Conforming Permits - Permits will be issued for those legal non-conforming uses and buildings. The legal non-conforming permit will specify the nature and extension of the legal non-conforming in which the building or property does not conform with this Regulation.

The party interested in the use of a property whose use results in a legal non-conforming, will request in writing a non-conforming permit within one (1) year after the effective date of this Regulation.

Properties whose uses become non-conforming due to an effective date following any amendment to this Regulation or adopted Zoning Maps or Official Maps; the legal non-conforming permits for the non-conforming uses will be requested within one (1) year from the effective date of the adopted maps or amendments.

- 26.07 Discontinuation of Non-Conforming Legal Uses - Once the use of the building or property conforms with the Regulation due to changes, it can not be dedicated again to uses which are not permitted.

When a legal non-conforming use is discontinued for a period of more than one (1) year, any future use of the property will conform with the dispositions of this Regulation for the district in which it is located.

26.08 Permits Related to Constructions, Alterations, Expansion or Repairs in Legal Non - Conforming Properties -

1. In buildings which conform because of its use and population density, but are legally non-conforming in other aspects, will be permitted structural alterations, expansions, sanitary installations and kitchen facilities, provided the proposed works conform with this Regulation.
2. In buildings of parts of them, which conform in use, but are legally non-conforming in other aspects, will be permitted changing of existing floors, roofs and interior walls, using permanent materials.

26.09 Effective Dates of the Decisions on Permits -

1. All favorable decisions or authorizations on conforming consultation on a project, preliminary development or final project related to a construction project, will



expire: if within a period of one (1) year after the decision was issued, a construction permit has not been obtained but the work authorized has not started within one (1) year from the date it was issued; or the works were started as established, but not completed within the time frame establish in the permit issued.

2. All decisions authorizing use permits will elapse: if within a one (1) year period after the decision is rendered, the corresponding use permit is not obtain; or, if after the use permit is obtained, the authorized use is not establish within one (1) year from the issue date of the permit.
3. All decisions authorizing any permit for the installation of signs or advertisements will elapse: if within a period of one (1) year after it has been issue the corresponding permit for the installation of the sign or advertisement has not been obtain; or within a period of one (1) year after the installation permit is obtain the sign or advertisement authorized has not been installed.

4. The terms of the effective dates previously established are considered final for all legal aspects, except that an extension can be granted on a petition from the interested party, when such extension is not contrary to the public interest and the petition is submitted thirty (30) days prior to the expiration date, indicating the reasons for the petition and including the evidence of progress achieved in the preparation of the preliminary plans, construction plans, studies and other documents required.

SECTION 27.00 VARIATIONS (CONCESSIONS)

- 27.01 General Dispositions - The Board or the Administration can authorize variations (concessions) to the requirements of this Regulation in cases where, because of exceptional or extraordinary circumstances a literal application of the same could result in an unreasonable restriction or prohibition of the enjoyment of a property, and where it has been clearly demonstrated that the variation (concession) will correct an unjust act and will contribute to the best interest of the community and the sector. The variations (concessions) granted under this Section 27.00 will not constitute an amendment to the Zoning Map or to this Regulation.
- 27.02 Initiative - All variations (concessions) will be requested by the owner or an appointed representative, using the applicable forms; variations (concessions) in excess of those requested, will not be granted.
- 27.03 Public Hearings - Prior to approving or disapproving a request for variation (concession) the Board or the Administration can hold public hearings to consider these cases, when deemed appropriate.

27.04 Criterias for Granting Variations (Concessions) - Partial or total variations (concessions) can not be granted unless sufficient data is available to establish:

1. That exceptional or extraordinary circumstances such as, irregular shape of the lot or farm, the area is below the required minimum, the rugged topography or other characteristics hinders the utilization or enjoyment of the property.
2. That due to exceptional or extraordinary circumstances, the literal application of certain specific requirements of the Regulation will cause an unnecessary harm or a difficult practice, not created or imputed to the property owner.
3. That the variation (concession) is necessary to preserve and enjoy a property right and is demonstrated that the variation (concession) will alliviate an obvious injustice, whose right is owned and enjoyed by other properties in the same district.
4. That if in the variation (concession) were requested a non permitted use for

the zoning district, the use requested is compatible with the essential character of the district.

5. That the variation (concession) is in the best interest of the community, municipality or the people of Puerto Rico.
6. That granting the variation (concession) will not adversely affect the enjoyment and value of adjoining properties in its present or future permitted use.
7. That granting the variation (concession) will not adversely affect the capacity, security and convenient function of planned or existing public facilities, including ways, schools, waste disposal or other essential services.
8. That the requested variation (concession) harmonizes with the general purpose of this Regulation and with the Land Use Plan adopted for the area.
9. That granting the variation (concession) is consistent with the Objectives and Public Policy of the Land Use Plan, Integral Development Plan for Puerto

Rico, Four Years Investment Plan and the conservation and preservation of natural and historic resources.

10. That the petitioner is willing to accept the additional conditions and requirements that the Board or the Administration imposes to protect and benefit the public interest.
11. That when the granting of the variation (concession) implies permitting simple subdivisions in agricultural zoning districts (A-1, A-2 and A-3), the following additional criterias will be considered:
 - a. Maximize the use of land that will have the minimum impact on the production level of a farm when it is withdrawn from agricultural use and subdivided for non agricultural purposes.
 - b. That access ways into the lots are available or easy to construct without destroying the connection or communication of the agricultural unit.

- c. That the water and electrical services can be provided with a minimum of public investment.
- d. That the low production terrains to be subdivided will allow for the formation of lots with a minimum front of thirteen (13) meters, minimum area of four hundred (400) square meters or an area in excess of four hundred (400) square meters needed for the infiltration tests performed for the septic tanks.

27.05 Conditions for Granting Variations (Concessions)

- When granting variations (concessions) the Board or the Administration will specify the nature and extent of the same and will also prescribe the conditions which they deem necessary to insure compliance with the criterias established in this section to grant variations (concessions).

The variations (concessions) authorized will be subject to compliance with the conditions establish and with other dispositions of this and other applicable regulations. The non-compliance with any of the conditions, constitute a

violation of this Regulation and could constitute sufficient reasons to revoke in all its parts the variation (concession) granted.

- 27.06 Effective Date of the Decisions on Variation (Concessions) - All favorable decision or authorization on any variation (concession) to the dispositions of this Regulation pertaining to construction, use or sign permits will expire if within one (1) year from the date it was granted, the corresponding permit has not been obtained.

For all legal purpose, this effective date is considered final, except, it could be extended on request from the interested party, when such extension is considered to be in the public interest and submitted at least thirty (30) days prior to the expiration date of the decision, indicating the reasons on which the petition is base and including evidence of the progress achieved in the preparation of the development plans, construction plans, studies and documents requiered for the case.

SECTION 28.00 EXCEPTIONS (DIRECT AUTHORIZATION)

28.01 General Dispositions - The Board or the Administration, can authorize exceptions (direct authorizations) based on this regulation and in accordance with other uses discretionally permitted in Districts A-1, A-2, A-3, B-1, B-3 and CR.

28.02 Other Uses Permitted in Districts A-1 - The Board or the Administration could consider, in harmony with the goals and purposes of this Regulation, land site and use consultations related to the uses hereby indicated, provided the projects comply with the requirements deem convenient to insure the protection of the public interest and compliance with other requirements establish for the district. The Board or the Administration can require whatever additional information necessary to consider the project.

1. The Board - Public facilities, either local or general, when the same are related to services and public utilities; or local protection services, when verified that such use is necessary for the operation of the farm or based on the need for public services in the sector.

2. The Board - Uses similar to those permitted in the district provided that:
 - a. The portion of the land where the proposed use is located, is not suitable for agricultural use of the district.
 - b. The proposed use does not affect, nor implies the introduction of other activities adversely affecting the uses permitted in the district.
 - c. Approval of the use does not imply land zoning changes.
 - d. The proposed use does not increase the need for facilities and public services in the general area, beyond those necessary if the land had been utilized for the uses permitted in the district, without a special permit.
3. The Administration - Housing facilities for two families, in addition to those permitted in the district when they will be occupied by families or persons whose principal support will be derived from the agricultural use permitted and conducted in the farm.



28.03 Other Uses Permitted in Districts A-3 - The Board or the Administration can consider, in harmony with the goals and purposes of this Regulation, site and land use consultations in Districts A-2, when the project is related to the uses hereby indicated, provided the projects meet the requirements deem convenient to insure the protection of the public interest and compliance with the requirements establish for the district. The Board or the Administration can require whatever additional information necessary to consider the project.

1. The Board - Public facilities of a local or general character when they are related to providing services, public utilities and local protection services, provided such services are necessary to the operation of the farm or based on the needs for public services in the sector.
2. The Board - Recreational facilities in an area of no more than three (3) cuerdas, with some accessory structures for its operation. A larger area could be use for this purpose once it is verified that the place meets special considerations of scenic, historic, scientific or

recreational value and the proposed use will not adversely affect the purposes of the area special zoning.

3. The Board - Uses similar to those permitted in the district provided that:
 - a. The terrain were the propose use is to be located is not suitable for the agricultural use of the district.
 - b. The propose use will not affect nor implies the introduction of other activities which adversely affect the uses permitted in the district.
 - c. The approval of such use does not imply zoning changes.
 - d. The propose use does not increase the need for facilities and public services in the area, over and above what would be required, if the land propose use is the same as those permitted in the district with out special permits.
4. The Administration - Commercial facilities or local services, excluding gasoline stations, in each lot or farm, limited to

one building with a gross floor area not exceeding one hundred (100) square meters provided that the area of the land to be use for these purposes do not exceed five hundred (500) square meters.

5. The Administration - Churches, temples, meeting rooms and non-profit private clubs, when not occupying an area of not more than one (1) cuerda, and the gross floor area they occupy do not exceed five hundred (500) square meters.

28.04 Other Uses Permitted in Districts A-3 - The Board or the Administration can consider, in harmony with the goals and general purposes of this regulation, land site and land use consultations in Districts A-3 for projects related to uses hereby indicated, provided the projects meet the requirements deem convenient to insure the public interest protection and compliance with the requirements establish for the district.

1. The Board - The following uses provided it is establish that the benefits derived by the community due to the propose use surpass those obtain if the land is dedicated to the general agriculture. If in doubt, the Board can hold public hearings to clariffy the proposed objectives:

- a. Residential communities
 - b. Vacational Developments
 - c. Tourist Developments
 - d. Cemeteries
 - e. Light Industry
 - f. Amusement parks, drive in theater, cockfighting arenas and other activities determined to be an intense commercial recreational center.
 - g. Hardware store with construction material (gravel, sand, rods and cement).
 - h. Dumps
 - i. Funeral home
2. The Administration - The following uses can be located adjacent to an existing residential nucleus in the district, provide it is determine by an environmental evaluation, that the location of the same will not pollute the environment nor affect the agriculture and livestock production in the immediate area and that adequate operating facilities are available.

- a. Commercial facilities not exceeding ten thousands (10,000) square feet for retail sales of consumer or houseware goods.
- b. Hardware stores not exceeding ten thousands (10,000) square feet, not selling construction materials (gravel, sand, rods and cement).
- c. Institutional uses not requiring over one (1) cuerda of land.

28.05 Other Uses Permitted in Districts B-1 and B-3 - The Board of the Administration can consider, in harmony with the goals and general purposes of this regulation, land site and use consultation in the Districts B-1 and B-3 for projects related to the uses hereby indicated, provided these projects meets the requirements necessary to insure the due protection of the public interest and other requirements establish for the district. For these cases the Board or the Administration can require additional appropriate information to consider the project.

- 1. The Board - Local or general public facilities when related to services, public utilities, local protection services, when the use is necessary for the farm operation, or base on the need of public services in the sector.

2. The Board - Uses similar to those permitted in the district provided that:
 - a. The propose used is located in terrains which are not suitable for the designated use of the district.
 - b. The propose use will not affect, nor imply the introduction of other activities that adversely affect the uses permitted in the district.
 - c. The approval of the use does not imply a zoning change.
 - d. The propose use will not increase the need for facilities and public services in the general area, above and beyond those necessary if the land was utilize for permitted uses of the district, without a special permit.
3. The Board - The following uses if it is establish that the benefits that the community will derive from the propose use, will be greater that those derive if the terrain is dedicated to forests. In case of doubt, the Board can hold public hearings to clarify the objectives:

- a. Tourist Developments
 - b. Vacational Developments
 - c. Recreational parks and camp grounds
4. The Administration - Housing facilities for two families, in addition to those permitted in the district, when they are to be occupy by families or persons whose principal support will be derive from the uses permitted or being conducted in the farm.

28.06 Other Uses Permitted in Districts CR - The Board can consider, in accordance with the goals and general purposes of this regulation, landsite and use consultations in Districts CR for projects related to the uses hereby indicated, provided they meet the requirements deem convenient to insure the protection of the public interest and comply with requirements establish for the district. For this cases, the Board can require whatever information deem necessary, to consider the project.

The following tourist-recreational uses could be permitted provided it is establish that the community will derive benefits from the proposed use, the natural environment will not be affected nor the permanency of the resource to be develop.

1. Inn (Paradores)
2. Tourist Village
3. Camping Areas
4. Restaurants
5. Cafeteria
6. Equestrian Parks
7. Commercial Swimming Pools
8. Zoos
9. Museums

28.07 Minimum and Maximum Sizes of the Lots - The minimum lot size permitted in new subdivisions will conform with the size establish for the district in which the subdivision is permitted. As an exception, the lots for other uses permitted by direct authorizations in Districts A-1, A-2, A-3 B-1 and B-3 will conform with the following criterias:

1. Residential, commercial or institutional lots will have a minimum front of thirteen (13) lineal meters and a minimum area of four hundred (400) square meters, except when infiltration tests for septic tanks, demonstrate that a larger area is required.
2. The minimum size of all other lots will be the resultant of the terrain filtering

condition to dispose of waste waters by means of a septic tank provided in accordance with Article V-B3-0 of the Building Regulation (Planning Regulation No. 7), but never less than four hundred (400) square meters as stated in (1) above.

3. Maximum size of the lots for other uses permitted in districts A-1, A-2, A-3, B-1 and B-3 will conform with the dispositions of this Section in respect to Exceptions (Direct Authorizations).

28.08 Conditions to Grant Exceptions (Direct Authorization) - The exceptions (direct authorization) granted will be subject to the compliance with the conditions established and other dispositions of this and any other Planning Regulation.

28.09 Effective Dates of the Decisions on Exceptions (Direct Authorizations) - All favorable decisions granting exceptions (direct authorizations) related to construction, use or signs permits will be voided if within one (1) year from the date it was authorized, the corresponding permit is not obtain.

This effective date, for all legal effects, is considered final but can be extended on request by the interested party when such extension is not contrary to the public interest and the petition is presented at least thirty (30) days prior to the expiration date. The request will indicate the motives for the petition and will include evidence of the progress achieved in the preparation of the preliminary project, construction plans studies and documents that the use requires.

- 28.10 Public Hearings - The Board or the Administration can hold public hearings for those cases deemed appropriate, prior to deciding on the request for an exception (direct authorization).

SECTION 29.00 SPECIAL PROCEDURES

- 29.01 Penalties and Procedures - Violators of dispositions of this Regulation will be prosecuted and penalized in accordance with Acts No. 75 and 76, June 24, 1975, as amended.
- 29.02 Temporary Orders - The Board under the provisions of Article 11 (8), Act 75, can issue temporary orders prohibiting land developments or construction of installations or structures which violate the present Regulation.
- 29.03 Recursos of Mandamus, Interdiction, Lawsuits - The Administrator of the Regulations and Permits Administration, based on Article 28, Act 76, and the Board, based on Article 11 (2), Act 75, can file recursos of interdiction, mandamus, nullity or any other adequate action to impede, prohibit, annul, vacate, remove or demolish any building constructed or any structure or use made or maintain in violation of this Regulation.
- 29.04 Orders to Do or Not to Do and to Cease or Desist - The Board, based on Art 11 (9), Act 75, or the Administrator of the Regulations and Permits Administration, based on Art. 25, Act 76, can issue orders to Do or Not to Do and of Cease and Desist, to assume preventive measures or necessary controls to insure compliance with this Regulation.

- 29.05 Permit Violations - When the Administrator of the Regulations and Permits Administration determines that a violation exists of the conditions establish in the permits issued; will issue a cease and desist order in accordance with Article 25, Act 76 of June 24, 1975. The Administrator will require that the party responsible for the violation, correct the same within a reasonable time, not exceeding thirty (30) days. When no corrective action is taken within the period of time specified, the Administrator can set administrative fines permitted by Article 29, Act 76 of June 24, 1975, pending initiating the legal procedures established by Article 28 of the reference law.
- 29.06 Administrative Fines - The Board, based on Article 11 (10), Act 75 or the Administrator, based on Article 29, Act 76, can impose administrative fines for violations of this Regulation, based on the faculties granted in their respective Organic Acts and following the procedures established for such purposes.
- 29.07 Citations - The Board, based on Article 26, Act 75 or the Administrator based on Article 12 of Act 76, can summon witnesses to appear before them, or present documents or other evidence required.



29.08 Misdemeanor - All persons violating this Regulation will be charge of a misdemeanor, if found guilty of the charges can be fine in the amount, not to exceed five hundred (500) dollars or sentence to serve in jail for a period not to exceed six (6) months, or both sentences at the discretion of the Court.

29.09 Obstructing the Access to the Coasts or the Beaches - The Board or the Administrator can use all mechanisms available in the subsections above and others available by law, to order the removal of obstructions or barriers; prohibit any restriction or interference, affecting the public right to access into the coastal sector or beaches of Puerto Rico. Other governmental organisms or private agencies can be use to remove the obstructions or barriers, with the cost for the removal charged and collected from the person that violated the provisions of this Regulation.

29.10 Signs or Floating Buoys Prohibiting the Access to the Coasts or the Beaches - Former dispositions of this Section apply to signs, markers, floating buoys, which classify a beach or coast as private property or which violate any disposition of this Regulation.

- 29.11 Bond - Prior to authorizing a project on a coastal, beach or lake sector, a bond will be required to be deposited with the Department of Natural Resources, to guarantee that the beach sector will be maintain and its natural character restore as well as the preservation or conservation of unique or important natural system.
- 29.12 Forfeiture of Bond - If the natural character of the beach or coast sector and that of the natural systems around the projects, are not maintain or restore, the Department of Natural Resources will proceed to forfeit the bond and use it to restore and maintain to the maximum, the beach, coast and lake sectors and the natural system adversely affected.
- 29.13 Board of Appeals - The Board of Appeals on Constructions and Subdivisions, created by Article 30, Act 76, shall have power to take cognizance exclusively of those cases where a party is directly interested in or is affected by actions, decisions or resolutions of the Regulations and Permits Administration in regard to matters in which was authorized to act by Article 31 of Act 76.

The actions or resolutions of the Board of Appeals on Constructions and Subdivisions can be review, under a petition or reconsideration, before the Superior Court of Puerto Rico, complying with procedures established in Article 31, Act 76. The review before the Superior Court shall be limited exclusively to issues of law.

29.14 Reconsideration - Any party affected by a decision of the Planning Board in its adjudicatory function, under the powers granted by this Regulation, can file a petition for reconsideration, in writing, within the first thirty (30) days of mailing of the notice of decision.

29.15 Review by the Superior Court - (1) Any party aggrieved by an action, decision or resolution of the Planning Board in its adjudicatory function, in connection with which a petition for reconsideration has been filed within the term specified by the Board, may file a petition for review before the Superior Court of Puerto Rico, under the provisions of Article 32, Act 75, within the first thirty days of mailing of notice of the resolution or agreement. Review by the Superior Court shall be limited exclusively to issues of law.

(2) Any party aggrieved by the action, decision or resolution of the Regulations and Permits Administration on housing developments cases can submit a petition for reconsideration or file a petition for review before the Superior Court of Puerto Rico following the procedures established in Article 32, Act 76. The review before the Superior Court shall be limited exclusively to issues of law.

SECTION 30.00 DEROGATORY DISPOSITIONS AND SAVINGS CLAUSES

- 30.01 Regulation for the Hydrographic Basin of the Tortuguero Lagoon - In accordance with Sections 1.08, 1.09 and 9.06 of the present regulation, the Regulation for the Hydrographic Basin of the Tortuguero Lagoon will be consider as a Special Regulation in Coastal Zone Sector of Puerto Rico.
- 30.02 Dispositions on the Set Back of Buildings or Structures from the Terrestrial Maritime, Limit in the Zoning Regulation and in the Tourists Interest Zones Regulation - The Dispositions of Topic 17, Section 57.00, of the Zoning Regulation (Planning Regulation No. 4), and of Topic 9, constructions in the Coastal zone, Section 12 (Set Back from the Terrestrial Maritime Zone) of the Tourist Interest Zones Regulations (Planning Regulation No. 16), will be substituted by Section 8.00 (Set Back of Buildings and Structures from Terrestrial Maritime Limits and Shadows Study) of the present Regulation from the effective date of the same.
- 30.03 Special Norms for the Parguera Area in the Municipality of Lajas - The norms that apply to the special cases in the Parguera Area, Lajas (Resolution JP-197-A, October 17, 1972, approved by the Governor on November 27, 1972) will be

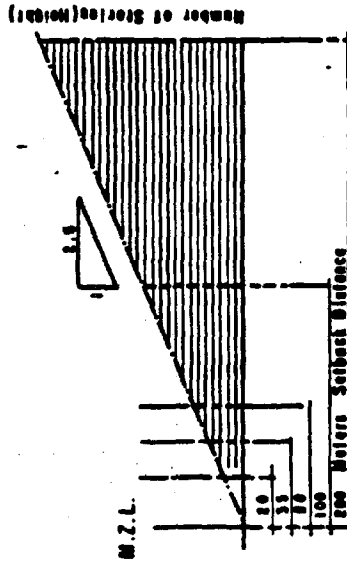
considered as a Special Regulation in the Coastal Zone of Puerto Rico in accordance with Sections 1.08, 1.09 and 9.06 of the present Regulation.

30.04 Special Norms for the Municipality of Culebra - The special norms established for the low density, residential districts (R-0) in the Municipality of Culebra (Resolution No. JP-215 and Extensions) will be considered as a Special Regulation in the Coastal Zone Sector of Puerto Rico, in accordance with Sections 1.08, 1.09 and 9.06 of the present Regulation.

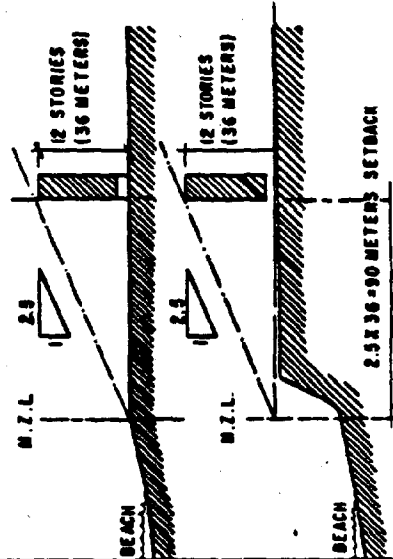
30.05 Airport and Flood-Prone Zones - In the Airport Zones (Resolution Z-8 and Z-8A of November 20, 1952 and December 28, 1972 respectively) and in the Flood-Prone Zones (Planning Regulation No. 13) the dispositions of this Regulation can be applied in a suppletory form.

I-COASTAL ZONE-SHORELINE SETBACK

A-SECTION 8.01-GENERAL-POSITION REQUIRED SETBACK FROM THE MARITIME ZONE.

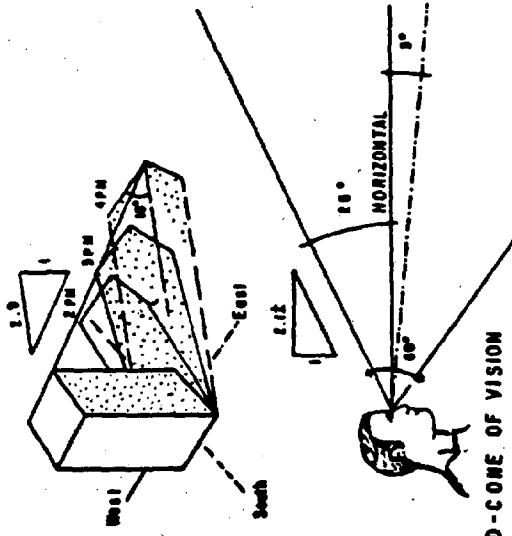


B-DISTANCE FROM THE BASE OF THE BUILDING MEASURED HORIZONTALLY TO THE MARITIME ZONE LIMIT (M.S.L.)



EXAMPLE OF A 36 METERS HEIGHT BUILDING (12 STORIES)

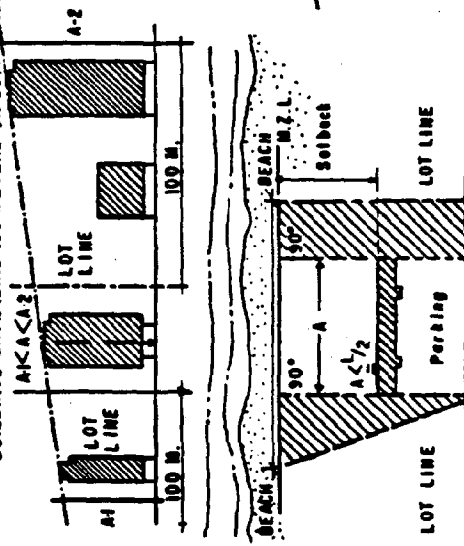
C-AFTERNOON SHADOW DIRECTLY AT 18° LATITUDE



D-CONE OF VISION

II EXCEPTIONS IN URBAN ZONES:

A-SECTIONS 8.02(2) AND 8.02(3)-CONTIGUOUS BUILDINGS-LINE DIRECTED BETWEEN THE HIGHEST POINTS OF THE BUILDINGS EXTENDING 100 METERS ON BOTH SIDES



B-SECTION 8.03(2)-OPEN SPACES AND FREE OF VISUAL OBSTRUCTION.

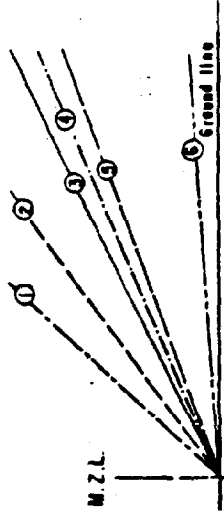
APENDIX - ILLUSTRATION TO ASSIST IN THE INTERPRETATION OF THE DISPOSITIONS OF SECTION 8.00-BUILDINGS OR STRUCTURES SETBACK FROM THE TERRESTRIAL MARITIME LIMIT AND SHADOW STUDIES.

E-ILLUSTRATION OF VARIOUS ANGLES INFLUENCING SETBACK REQUIRED FROM THE MARITIME ZONE (INTERIOR LIMITS)

1 AVERAGE SETBACK OF EXISTING BUILDING IN CONDADO

2 SUN ANGLE (AVERAGE AT 4 P.M.) 1:1.15

3 CONE OF VISION AT AN ANGLE 1:2.1

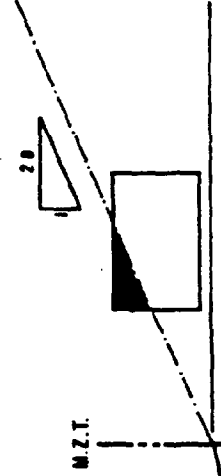


4 REQUIRED SET BACK ANGLE 1:2.5

5 SUN ANGLE MAXIMUM CONDITION AT 4 P.M. 1:2.9

6 AVERAGE SETBACK OF "CORDILLERA"

C-SECTION 8.03(3) PHYSICAL IMPROVEMENTS FOR PUBLIC USES NO REQUIRED.



WHEN 5% OF CONSTRUCTION COST OF THE PORTION OF THE BUILDING THAT EXCEED THE REQUIRED SETBACK, IS INVESTED IN PUBLIC RECREATIONAL AMENITIES RELATED TO THE COAST IN ADDITION TO THE FACILITIES REQUIRED BY REGULATIONS.

